



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/24/4089

Property : 0/2, 70 Garry Drive, Paisley PA2 9BY (“Property”)

Parties:

REWD LPB Limited, Rewd Group HQ, Unit 4 Barons Court, Grangemouth, FK3 8BH (“Applicant”)

Gilson Gray LLP, 29 Rutland Square, Edinburgh EH1 2BW (“Applicant’s Representative”)

Claudia Naismith, 106 Trinity Avenue, Glasgow G52 3ER (“Respondent”)

Tribunal Members:

Joan Devine (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £5,276.07 together with interest at the rate of 4% per annum should be made.

The Applicant sought an order for payment of £4,556.07 plus interest at 4% in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Private Residential Tenancy Agreement which commenced on 8 April 2021 (“Tenancy Agreement”), a statement of rent arrears and a title sheet which indicated the Applicant acquired title to the Property on 29 October 2020. A Case Management discussion (“CMD”) was fixed for 17 March 2025. Notification of the date of the CMD was given to the Respondent on 11 February 2025 by sheriff officer. On 20 February 2025 the Applicant’s representative lodged an updated statement of rent arrears and sought to amend the sum claimed to £5276.07. A copy was provided to the Respondent.

Case Management Discussion

A CMD took place before the Tribunal on 17 March 2025 by teleconference. David Gray of the Applicant’s Representative was in attendance. There was no appearance by the Respondent. Mr Gray told the Tribunal that there had been no recent contact with the Respondent. He confirmed that the tenancy ended on 12 January 2025. The

Tribunal asked if the deposit was to be applied to the rent arrears. Mr Gray told the Tribunal that the deposit had been used to cover the cost of cleaning and repairs at the end of the tenancy.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Respondent was the tenant of the Property in terms of the Tenancy Agreement which commenced on 24 April 2020.
2. The tenancy ended on 12 January 2025.
3. The Applicant acquired title to the Property on 29 October 2020.
4. In terms of the Tenancy Agreement the rent was £360 per month.
5. The Respondent failed to pay the rent for the period 24 October 2022 to 24 December 2024. The unpaid amount was £5276.07.

Reasons for the Decision

The Tribunal determined to allow the sum claimed to be amended to £5276.07 and to make an Order for payment. In terms of the Tenancy Agreement rent was due at the rate of £360 per month. The Respondent failed to pay the rent for the period 24 October 2022 to 24 December 2024. The unpaid amount was £5276.07. The tribunal considered that it was reasonable to award interest at the rate of 4%.

Decision

The Tribunal grants an order for payment of £5276.07 together with interest thereon at the rate of 4% per annum.

Right of Appeal

In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.

Joan Devine

**Joan Devine
Legal Member**

Date: 17 March 2025