

Decision 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/24/3028

Re: Property at 25 Wheatley Street, Methil, Leven, Glenrothes, KY8 3DQ (“the Property”)

Parties:

Ian David Haywood as Executor of John Cropley deceased, North House, North Street, Glenrothes, KY7 5NA (“the Applicant”)

Mr Lee Brodie, 25 Wheatley Street, Methil, Leven, Fife, KY8 3DQ (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member) and Ahsan Khan (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent in terms of his private residential tenancy agreement with the Applicant. It called for a case management discussion (‘CMD’) at 10am on 27 February 2025, by teleconference. The Applicant was represented on the call by Ms Tracey Allan, of Belvoir Lettings. The Respondent was not on the call and was not represented. The commencement of the CMD was delayed by 10 minutes, in case of any technical difficulty; but there remained no contact from him.

A copy of the application and notice of the CMD was given to the Respondent by sheriff officers on 27 January 2025. The Tribunal was satisfied that it was reasonable to proceed on the basis that the matter was therefore undefended.

- Findings in Fact

The following facts from the application were relied on by the Tribunal, as unopposed:

1. The Respondent entered into a private residential tenancy agreement with the Applicant in respect of the Property, with a start date of 1 March 2020.
2. In terms of that agreement, rent of £425 was due every four weeks.
3. As at 1 July 2024, the Respondent owed £4,675 in rent.
4. The Respondent has made no payments towards those arrears since that date.

- Reasons for Decision

The Respondent owes at least the sum sought in the application to the Applicant. An order for payment of that amount should therefore be made.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of FOUR THOUSAND, SIX HUNDRED AND SEVENTY-FIVE POUNDS STERLING (£4,675).

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.

Nairn Young

28th February 2025

Legal Member/Chair

Date