



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/24/3144

Re: Property at 13C Hepburn Street, Dundee, DD3 8BT (“the Property”)

Parties:

Mr Paul Sharma, 4 North Gyle Farm Court, Edinburgh, EH12 8LQ (“the Applicant”)

Ms Sasha Ingram, 13C Hepburn Street, Dundee, DD3 8BT (“the Respondent”)

Tribunal Members:

Nicola Irvine (Legal Member) and Sandra Brydon (Ordinary Member)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted an Order for Payment against the Respondent in favour of the Applicant in the sum of £2,635.

Background

1. The Applicant submitted an application under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”). The Applicant sought an order for payment in the sum of £1,355 in respect of arrears said to have been incurred by the Respondent.
2. A Convenor of the Housing and Property Chamber (“HPC”) having delegated power for the purpose, referred the application under Rule 9 of the Rules to a case management discussion (“CMD”).
3. Letters were issued on 8 February 2025 informing both parties that a CMD had been assigned for 18 March 2025 at 10am, which was to take place by conference call. In that letter, the parties were also told that they were required to take part in the discussion and were informed that the Tribunal could make a decision today on the application if the Tribunal has sufficient information and

considers the procedure to have been fair. The Respondent was invited to lodge written representations by 1 March 2025. No representations were received by the Tribunal.

4. On 5 February 2025, the Tribunal received an email from the Applicant's representative, attaching an updated rent statement. A copy had been sent to the Respondent by email.
5. On 11 March 2025, the Tribunal received a further updated rent statement from the Applicant's representative and a copy had been sent to the Respondent by email.

The case management discussion – 18 March 2025

6. This case called alongside a related case which proceeds under chamber reference FTS/HPC/EV/24/3142. The CMD took place by conference call. The Applicant was represented by Miss Melissa Coleman. The Respondent did not join the call, and the discussion proceeded in her absence.
7. The Applicant's representative explained that the updated rent statement lodged on 11 March 2025 accurately reflects the balance of the sum due by the Respondent. The last payment made by the Respondent was in December 2024. There have been various arrangements agreed for the Respondent to repay the arrears but those agreements have not been adhered to. The Applicant has no information about why the arrears started to accrue more than 3 years ago. The rent arrears have increased since this application was made and the current balance is £2,635. The Applicant's representative moved to amend the sum sought to £2635 and sought an order for payment in that sum.

Findings in Fact

8. The parties entered into a private residential tenancy which commenced 15 March 2023.
9. The contractual monthly rent was £510, payable in advance.
10. The Respondent owes the Applicant £2,635 in respect of rent arrears.

Reason for Decision

11. The Tribunal proceeded on the basis of the documents lodged, and the submissions made at the CMD. There was nothing before the Tribunal to indicate that there was any dispute over the sum sought. In the absence of evidence to the contrary, the Tribunal was satisfied that the rent statement was accurate. The Applicant's representative had intimated a copy of the up to date rent statement to the Respondent. The Tribunal was satisfied that Respondent owes the sum of £2,635. Accordingly, the Tribunal granted the application to

amend the sum sued for and thereafter granted an order for payment in that sum.

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.

Nicola Irvine

Legal Member/Chair

18 March 2025
Date