



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/24/3732

Re: Property at 21 Montgomery Street, Larkhall, ML9 2AA (“the Property”)

Parties:

Dr Paul Hare, 25 The Glade, Larkhall, ML9 2JA (“the Applicant”)

Mr John Ross Dunn, 9 Helen Wynd, Larkhall, ML9 1EJ (“the Respondent”)

Tribunal Members:

John McHugh (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an Order will be made requiring the Respondent to pay to the Applicant the sum of £568.63.

Background

The Applicant and the Respondent are the Landlord and Tenant respectively in terms of a private residential tenancy dated 21 July 2021 of the Property.

The Case Management Discussion

A Case Management Discussion (“CMD”) took place on 21 March 2025. The Applicant was represented by his letting agent, Barry Munro. The Respondent was neither present nor represented. Mr Munro explained that the Respondent had called in at his office the previous day to ask about the application and whether he required to attend the CMD. Mr Munro explained that he should attend although the Respondent had been somewhat non-committal that he would do so. The Respondent had not attended the hearing in earlier proceedings between the parties

in respect of rent from an earlier period. The Tribunal was satisfied that the CMD had been intimated to the Respondent and elected to proceed to determine the Application.

Findings in Fact

The Applicant and the Respondent are the Landlord and Tenant respectively in terms of a private residential tenancy dated 26 July 2021 in respect of the Property.

Rent is due in terms of the tenancy agreement at the rate of £350 per month.

The tenancy ended on 13 August 2024 at which point rent was outstanding in the sum of £568.63 for the period from 27 June 2024. This is in addition to sums previously awarded in respect of earlier periods of the tenancy.

Reasons for Decision

The Tenancy Agreement provides for rent to be paid by the Respondent at the rate of £350 per month. The Respondent has not paid rent due in respect of his occupation of the Property for the period 27 June until his leaving on 13 August 2024. The sum of rent due and outstanding for that period is £568.63.

Decision

An Order will be made requiring the Respondent to pay to the Applicant the sum of £568.63.

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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.



Legal Member/Chair

_____**21 March 2021**_____
Date