



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/24/4108

Re: Property at 4/2, 300 Meadowside Quay Walk, Glasgow, G11 6AX (“the Property”)

Parties:

Mr Christopher Burke, Mrs Karen Burke, 11 Orsino Boulevard, North Coogee, WA6 163, Australia; 11 Orsino Boulevard, North Coogee, Australia (“the Applicants”)

Mr Hassan Aaron Bandi, 4/2, 300 Meadowside Quay Walk, Glasgow, G11 6AX (“the Respondent”)

Tribunal Members:

Graham Harding (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicants were entitled to an order for payment by the Respondent to the Applicants in the sum of £12150.00.

Background

1. By application dated 4 September 2024 the Applicants applied to the Tribunal for an order for payment in respect of alleged rent arrears arising from the Respondent’s tenancy of the property. The Applicants submitted a copy of the tenancy agreement together with a rent statement and letting agent reminder letters in support of the application.
2. By Notice of Acceptance dated 27 September 2024 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion (“CMD”) was assigned.

3. Following further correspondence between the Applicants and the Tribunal administration by email dated 23 January 2025 the Applicants advised the Tribunal that the sum due by the Respondent had increased to £9450.00.
4. Intimation of the CMD was served on the Respondent by Sheriff Officers on 11 February 2025.
5. By email dated 10 March 2025 the Applicants sought to amend the sum claimed to £12150.00.

The Case Management Discussion

6. A CMD was held by teleconference on 20 March 2025. The Applicants both attended in person as did the Respondent.
7. After explaining to the parties the purpose of a CMD the legal member of the Tribunal sought to ascertain from the Respondent if he accepted that the sum claimed by the Applicants namely £12150.00 was due by him. The Respondent agreed that it was. The legal member also queried with the Respondent if he had any objection to the Applicants' request to increase the sum claimed to £12150.00 and the Respondent confirmed he had no objection. The Tribunal therefore allowed the sum claimed to be amended to £12150.00.
8. For the Applicants, Mr Burke confirmed he was seeking an order for payment in the sum of £12150.00. The Respondent confirmed he did not oppose the order being granted.

Findings in Fact

9. The parties entered into a Private Residential tenancy that commenced on 3 February 2024 at a rent of £1350.00 per calendar month.
10. The Respondent owed rent of £12150.00 as at 3 March 2025 and this amount was still outstanding at the date of the CMD.

Reasons for Decision

11. The Tribunal was satisfied from the written representations and documents submitted by the Applicants together with the oral submissions of both parties that the parties entered into a Private Residential tenancy agreement that commenced on 3 February 2024 at a rent of £1350.00 per calendar month.

12. The Tribunal was also satisfied that the Respondent was in arrears of rent and the Applicants were entitled to an order for payment by the Respondent in the sum of £12150.00.

Decision

13. The Tribunal finds the Applicants entitled to an order for payment by the Respondent to the Applicants in the sum of £12150.00.

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.

Graham Harding

Graham Harding
Legal Member/Chair

20 March 2025
Date