

Housing and Property Chamber
First-tier Tribunal for Scotland



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/24/3906

Re: Property at Flat 0/1, 102 Neilston Road, Paisley, PA2 6EN (“the Property”)

Parties:

Mr Jonah Ditton, Ditton Holdings, Top Floor, Gordon Chambers 90, Mitchell Street, Glasgow, G1 3NQ (“the Applicant”)

Mr Ibraheem Afeez Ademola, Flat 0/1, 102 Neilston Road, Paisley, PA2 6EN (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Mary Lyden (Ordinary Member)

1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the Respondent in the sum of £9,900.00 with interest on that sum at the rate of 5 per cent per year from today’s date until payment.

Background

[2] The Applicant seeks a Payment Order in respect of rent arrears said to have been accrued by the Respondent under a tenancy between the parties.

[3] The Application is accompanied by a copy of the tenancy agreement and rent statements.

Case Management Discussion

[4] The Application called for a Case Management Discussion (CMD) by conference call at 10am on 4 April 2025. The Applicant was represented by Mr Kane from BTO Solicitors. There was no appearance by or on behalf of the Respondent. The Respondent had received intimation of the Application and information about how to join the conference call by Sheriff Officers. The Tribunal therefore decided to proceed in the absence of the Respondent.

[5] Having heard from the Applicant's representative and considered the whole facts and circumstances of the case, the Tribunal made the following findings in fact.

Findings in fact

- I. The Parties entered into a tenancy agreement in terms of which the Applicant let the Property to the Respondent;*
- II. The tenant has accrued rent arrears and the sum of £9,900.00 claimed in the Application is resting owed to the Applicant by the Respondent.*

Decision

[6] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £9,900.00 with an award of interest at the rate of 5 per cent per year from today's date until payment.

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.

Andrew McLaughlin

Legal Member/Chair

4 April 2025
Date