

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/24/2610

Re: Property at 27 Kinnoul Place, Blantyre, Glasgow, G72 0BQ ("the Property")

Parties:

Mrs Annette MacMillan, 54 Aberfeldy Avenue, West Craigs, Blantyre, Glasgow, G72 0TB ("the Applicant")

Ms Pamela Cathie, Mr Patrick Logan, 5 Dean Crescent, Hamilton, Glasgow, ML3 8JH; 5 Auchenbothie Crescent, Blantyre, Glasgow, G33 1GF ("the Respondents")

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Respondent)

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") made a Payment Order in favour of the Applicant against the Respondents in the sum of £447.98

Background

[2] The Applicant seeks a Payment Order in respect of rent arrears said to be lawfully due by the First Respondent to the Applicant under a tenancy between the parties. The Second Respondent is convened on account of having acted as a guarantor of the First Respondent's obligations under the relevant tenancy.

Case Management Discussion

[3] The Application called for a Case Management Discussion (“CMD”) by conference call at 10am on 26 March 2025. The Applicant was personally present. There was no appearance by or on behalf of the Respondents. Service of the Application had been competently effected on the Respondents by Sheriff Officers. The Tribunal therefore decided to proceed in their absence. Having heard from the Applicant, the Tribunal made the following findings in fact.

Findings in fact

1. *The Parties entered into a tenancy agreement in terms of which the Applicant let the Property to the Respondent;*
2. *Pamela Cathie vacated the Property with the sum of £447.98 lawfully due as arrears of rent. Patrick Logan undertook to guarantee Pamela Cathie’s performance of her obligations under the tenancy agreement.*
3. *The sum of £447.98 is resting owed by the Respondents to the Applicant.*

Decision

[4] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondents in the sum of £447.98.

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

26 March 2025
Date

