



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 (“the Act”)

Chamber Ref: FTS/HPC/CV/24/4373

Re: Property at 24 Shuna Gardens, Glasgow, G20 9ER (“the Property”)

Parties:

The Church of Scotland General Trustees, 121 George Street, Edinburgh, EH2 4YN (“the Applicants”)

Mr Alan Graham, 24 Shuna Gardens, Glasgow, G20 9ER (“the Respondent”)

Tribunal Members:

Steven Quither (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent is to pay to the Applicants the sum of SEVEN THOUSAND THREE HUNDRED AND FIFTY POUNDS ONLY (£7350) STERLING.

BACKGROUND

1. This is an application for payment of rent arrears arising out of a Private Residential Tenancy (“PRT”) between the parties in respect of the Property commencing 1 June 2022. The Tribunal accepted the application by Notice of Acceptance of 17 October 2024 and a Case Management Discussion (“CMD”) was duly fixed for 9 April 2025 at 10am.
2. The sum originally sought was £4725, but this was amended to £7350 at the CMD, as hereafter referred to.

3. Letterbox service of this application was made on the Respondent by sheriff officers on 25 February 2025.
4. By email of 1 April 2025, the Applicants provided a rent statement to that date, showing total rent arrears of £7350, as previously referred to.

CASE MANAGEMENT DISCUSSION on 9 APRIL 2025

5. The CMD took place by teleconference and duly commenced shortly after 10am. The Applicants were represented by Mr Marr, Trainee Solicitor in their employment.

The Respondent did not attend and was not represented.

6. In his submission to the Tribunal and in response to questions then asked by the Tribunal, Mr Marr advised and confirmed:--
 - a) The Applicants were seeking an order for payment of the arrears now outstanding of £7350, to which sum he was seeking to amend any reference to rent arrears (which the Tribunal was content to allow under Rule 13 of the First-Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ("the Rules"));
 - b) The present monthly rent payable by the Respondent was £375 since the other £375 per month due of the total rent payable in terms of the PRT was payable by the Respondent's ex-partner and there was no issue with that; and
 - c) The Respondent still resided in the Property but eviction proceedings were being considered

FINDINGS IN FACT

7. The Respondent is due and liable for arrears of rent up to 1 April 2025 of £7350 arising out of a PRT for the Property between the parties, commencing 1 June 2022, for an annual rent of £9000 (£750 per month), of which the Respondent was liable to pay half (£375 per month).

REASONS FOR DECISION

8. The Tribunal was satisfied that arrears of £7350 had accrued per the rent statement to 1 April 2025.

DECISION

9. To grant the order for payment sought by the Applicants in the amended sum of £7350.

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.

SR Quither

SR QUITHER

9 APRIL 2025

Legal Member/Chair

Date