



**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**

Chamber Ref: FTS/HPC/CV/24/3596

Re: Property at 23 Fiddison Place, Prestwick, KA9 2TJ (“the Property”)

Parties:

Mr Steven Wood, 9736 NE 119th Way, Apt E512, Kirkland, Washington WA98034-7071, United States (“the Applicant”)

Miss Amy Shona Smith, 23 Fiddison Place, Prestwick, KA9 2TJ (“the Respondent”)

Tribunal Members:

Alison Kelly (Legal Member) and Gerard Darroch (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment should be made.

Background

1. On 5th August 2024 the Applicant lodged an application under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.
1. Lodged with the application were: -
 - i. Copy Private Residential Tenancy Agreement showing a commencement date of 10th July 2022 and a rent of £625 per month;
 - ii. Rent Increase Notice raising the rent to £675 per month from 10th July 2024;
 - iii. Copy Rent Statement showing arrears of £5050 as at 10th July 2024;

2. The Application was served on the Respondent by Sheriff Officers on 17th February 2025.

Case Management Discussion

3. The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was represented by Mr Deane of Bannatyne, Kirkwood & France, Solicitors. There was no attendance by the Respondent or any representative on her behalf.
2. The Chairperson explained the purposes of a CMD in terms of Rule 17 of the Rules.
3. Mr Deane asked that an order be granted for payment, in the amount of £5050, being the sum due as shown on the rent statement and being the arrears due as at 10th July 2024.

Findings in Fact

- i. The parties entered in to a tenancy agreement for rent of the property;
- ii. The monthly rent was £625, rising to £675 from 10th July 2024;
- iii. At 10th July 2024 the rent arrears owed were £5050.

Reasons for Decision

The Respondent owes rent to the Applicant, as at 10th July 2024 in the amount of £5050.

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.

A Kelly

Alison Kelly

24 March 2025

Legal Member/Chair

Date