



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)  
Act 2014 (Act)**

**Chamber Ref: FTS/HPC/CV/24/3856**

**Re: Property at 45 Craigie Street, Dundee, DD4 6PE (“the Property”)**

**Parties:**

**Mr Shui Fong Lee, Ms Yuk Lan Lee, 8 Westport, Dundee, DD1 5EP (“the Applicant”)**

**Ms Anne Beattie, 45 Craigie Street, Dundee, DD4 6PE (“the Respondent”)**

**Tribunal Members:**

**Alan Strain (Legal Member) and Frances Wood (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent shall pay the Applicant the sum of £8,233.14.**

**Background**

This is an application under Rule 70 of ***The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (Rules)*** and section 16 of the Act for an order for repayment of alleged rent arrears.

The following documents were considered by the Tribunal:

1. Application received 21 August 2024;
2. AT5 dated 11 and 15 August 2016;
3. Short Assured Tenancy Agreement (**SAT**) dated 15 August 2016;
4. Pre Action Correspondence;
5. Schedule of Rent Arrears at 14 August 2024;
6. Certificate of Service of CMD Notification on Respondent by Sheriff Officers dated 13 March 2025.

## **Case Management Discussion (CMD)**

The case called for a CMD by conference call on 16 April 2025. The Applicants did not participate but were represented by their Solicitor, Mr Lawson. The Respondent did not participate and was not represented.

The Tribunal delayed the start of the CMD to see if the Respondent would participate. The Respondent did not.

The Tribunal were satisfied that the Respondent had received notification of the Case Management Discussion and that the Tribunal could determine the matter if it considered it had sufficient information to do so and the procedure was fair. The notification also advised the Respondent that she should attend and the Tribunal could determine the matter in absence if she did not.

The Applicants' Solicitor asked the Tribunal to deal with the matter on the basis of the documentation before it. He drew attention to the fact that the arrears were now £13,513.18 and that the Respondent had not paid any rent since 15 August 2023. The Tribunal informed Mr Lawson that it could only grant an order for payment at this stage for the amount that had been served on the Respondent, namely £8,233.14.

The Tribunal then considered the documentary evidence it had received from the Applicant and in so far as material made the following findings in fact:

1. The Parties let the subjects under an SAT dated 15 August 2016;
2. Monthly rent was £660;
3. As at the date of service of the AT6 there was £6,253.18 rent due;
4. As at the date of lodging the application £8,233.14 rent was due;
5. As at the date of the CMD there was £13,513.18 rent due;
6. Pre Action correspondence had been issued to the Respondent.

The Tribunal considered and accepted the documentary evidence of the Applicants which was, in any event, uncontested. The Tribunal considered that it had sufficient information upon which to make a Decision and that the procedure was fair. The Tribunal granted the order sought.

## **Outcome**

- **Order for payment in the sum of £8,233.14 granted.**

## **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.**

# Alan Strain

16/04/2025

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Legal Member/Chair

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Date