

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 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/24/5012

Re: Property at 3/3 1 Ellerslie Crescent, Glasgow, G14 0NY (“the Property”)

Parties:

Sanctuary Homes (Scotland) Limited, 1 Freeland Drive, Priesthill, Glasgow, G53 6PG (“the Applicant”)

Mr Abega Andrade, 3/3 1 Ellerslie Crescent, Glasgow, G14 0NY (“the Respondent”)

Tribunal Members:

Ms H Forbes (Legal Member) and Ms E Williams (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 granted in favour of the Applicant in the sum of £3597.34.

Background

1. This is a Rule 111 application received on 31st October 2024, whereby the Applicant is seeking an order for payment in the sum of £3597.34. The Applicant representative lodged a copy of a private residential tenancy agreement between the parties in respect of the Property, which tenancy commenced on 24th April 2018 at a monthly rent of £504.96. The Applicant lodged a rent statement.
2. Service of the application and notification of a Case Management Discussion was made upon the Respondent by Sheriff Officer on 1st April 2025.
3. By email dated 16th June 2025, the Applicant representative lodged evidence of rent increase notices which increased the rent to £589.35 on 1st August 2023, and to £628.53 on 1st August 2024. The Applicant representative lodged an updated rent statement and copy letter to the Respondent. The updated rent statement showed arrears in the sum of £5625.58.

The Case Management Discussion

4. A Case Management Discussion ("CMD") took place by telephone conference on 18th June 2025. Mr Alastair Johnston, Solicitor, was in attendance on behalf of the Applicant. The Respondent was not in attendance. The start of the CMD was delayed to allow the Respondent to attend.
5. The Tribunal considered the terms of Rule 29. The Tribunal determined that the requirements of Rule 17(2) had been satisfied, and it was appropriate to proceed with the application in the absence of the Respondents.
6. Mr Johnston moved the Tribunal to grant the order for payment in the original sum of £3597.34, as no application to amend the sum sought had been made, and the Respondent was not present.

Findings in Fact and Law

7.
 - (i) Parties entered into a private residential tenancy agreement in respect of the Property which commenced on 24th April 2018 at a monthly rent of £504.96.
 - (ii) The rent was increased annually.
 - (iii) Rent lawfully due has not been paid by the Respondent to the Applicant.
 - (iv) The Applicant is entitled to recover rent lawfully due.

Reasons for Decision

8. Rent lawfully due is outstanding. The Applicant is entitled to recover rent lawfully due.

Decision

9. An order for payment is granted in favour of the Applicant in the sum of £3597.34.

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.

H. Forbes

Legal Member

18th June 2025
Date