

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/20/0081

Re: Property at 8 Patterton Drive, Barrhead, Glasgow, G78 2NN (“the Property”)

Parties:

Mr Gurjatan Singh, 182 Eastwood Mains Road, Clarkston, Glasgow, G76 7HA (“the Applicant”)

Miss Lisa Richardson, 8 Patterton Drive, Barrhead, Glasgow, G78 2NN (“the Respondent”)

Tribunal Members:

Martin McAllister (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) grants an order against the Respondent for payment of the undernoted sum to the Applicant:

Sum of SIX THOUSAND AND FIFTY POUNDS (£6,050)

Background

This is an application for payment in respect of rent arrears. There is another application before the Tribunal in respect of eviction.

The Case Management Discussion

A case management discussion was held in Glasgow Tribunals Centre on 5th March 2020. Mr Michael Ritchie, solicitor was present to represent the Applicant. The Respondent was not present and the tribunal noted that service

of the notification of the date for the case management discussion had been effected by Sheriff Officer on 31st January 2020.

Preliminary Matters

Mr Ritchie produced an updated rent statement showing the arrears due by the Respondent to be £6,050. He asked that the application be amended to reflect the increased amount.

Documents Before Tribunal

1. The Application.
2. The Lease.
3. Updated rent statement showing arrears of £6,050.
4. Sheriff Officer's Certificate of Service dated 31st January 2020.

Findings in Fact

1. The Respondent is the tenant of the Property in terms of a Private Residential Tenancy Agreement 22nd October 2018.
2. The tenancy commenced on 22nd October 2018.
3. The rent due in terms of the Private Residential Tenancy Agreement is £550.
4. There are rent arrears of £6,050.

Reasons

1. The application is seeking payment and Mr Ritchie produced an updated rent statement showing the current arrears to be £6,050.
2. The tribunal accepted the level of arrears is reflected in the updated rent statement.
3. The tribunal considered whether or not the Respondent had notice of the sum due by her and found that she was aware of the level of arrears at the time of the application and that these were intimated to her and also that she would have been aware of her continued contractual obligations to pay the rent.
4. The tribunal determined that the application for payment in the sum of £6,050 should be granted.
5. The tribunal saw no reason to continue the matter to a Hearing

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.

Martin McAllister

Martin J. McAllister, Legal Member

5th March 2020