



**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/19/0108**

**Re: Property at 56 The Crescent, Gowkshill, Gorebridge, EH23 4PR (“the  
Property”)**

**Parties:**

**Miss Nobuhle Ncube, 93 Birkenside, Gorebridge, EH23 4JF (“the Applicant”)**

**Miss Siona McKimmie, Mr Marcus Lawrie, 56 The Crescent, Gowkshill,  
Gorebridge, EH23 4PR (“the Respondent”)**

**Tribunal Members:**

**Alan Strain (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the order for payment in respect of rent arrears be  
granted.**

**Background**

This is an application for payment in respect of rent arrears in terms of section 16 of  
the Act and Rule 70.

The Tribunal had regard to the following documents:

1. Application received 14 January 2019;
2. Short Assured Tenancy (**SAT**) dated 30 January 2014;
3. Statement of Rent Arrears as at 1 January 2019.
- 4.

**Case Management Discussion (CMD)**

The case called for a CMD on 5 March 2019. The Applicant was represented. There  
was no appearance and no representation on behalf of the Respondents.

The Tribunal were satisfied that the Respondents had received notification of the CMD by Sheriff Officers. The Tribunal were satisfied that the CMD should proceed in their absence.

The Tribunal considered the paperwork and made the following findings in fact:

1. The Parties entered in to a SAT in respect of the Property on 30 January 2014;
2. The monthly rent was £600; and
3. As at 1 January 2019 the sum of £2,567.65 was due in terms of rent.

The Tribunal were accordingly satisfied that there was sufficient information upon which to make a Decision and that it was fair to do so. The Tribunal considered and found that the rent was £2,567.65 in arrears and the order ought therefore to be granted.

The Tribunal granted the order for payment sought.

### **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.**

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**Legal Member/Chair**

*5 March 2019*  
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**Date**