

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Chamber Ref: FTS/HPC/CV/19/0282

Re: Property at Flat 0/2, 70 Garry Drive, Paisley, PA2 9BY (“the Property”)

Parties:

TCIB LLP trading as Newkeylets, 119 Main Street, Wishaw, ML2 7AU (“the Applicant”)

Mr David Stevenson, 42 Bank Street, Paisley, PA1 1LS (“the Respondent”)

Tribunal Member:

Nicola Irvine (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted an order for payment against the Respondent in the sum of £295.52.

Background

The Applicant submitted an application seeking an order for payment in the sum of £295.52. That sum related to arrears of rent in respect of a tenancy of the property at Flat 0/2, 70 Garry Drive, Paisley, PA2 9BY. The Tribunal intimated the application to the parties by letter of 4th March 2019 and advised them of the date, time and place of today’s case management discussion. The letter issued to the Applicant was sent by recorded delivery post and appears to have been signed for. The letter issued to the Respondent was served by sheriff officer on 5th March 2019. In the letters, the parties were also told that they required to attend the hearing and were informed that the Tribunal could make a decision today on the application if the Tribunal has sufficient information and considers the procedure to have been fair. The Respondent was invited to make written representations by 22nd March 2019. No written representations were received by the Tribunal.

Case Management Discussion

Neither party attended the case management discussion. In the circumstances, the Tribunal dismissed the application for want of insistence.

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.

Ms Nicola Irvine

Legal Member/Chair

27th March 2019

Date