

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision 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/19/0769

Re: Property at 1F 346A Leith Walk, Edinburgh, EH6 5BR (“the Property”)

Parties:

Mr Michael Grady, c/o Brunswick Impression, 346B Leith Walk, EH6 5BR (“the Applicant”)

Mr Connor Stephen, 1F 346A Leith Walk, Edinburgh, EH6 5BR (“the Respondent”)

Tribunal Members:

Mark Thorley (Legal 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 by the Respondent to the Applicant of the sum of £2100 (Two Thousand One Hundred Pounds) be made.

Background

1. The applicant applied under Rule 111 of the Tribunal Rules. The application was dated 7 March 2019 and was accompanied by a copy of the Private Residential Tenancy Agreement together also with a statement of rent due. No written representations have been received on behalf of the respondent.

Case Management Hearing

1. At the Case Management Hearing Ms Duff appeared on behalf of the applicant. There was no appearance by or for the respondent.

Findings in Fact

1. That the respondent occupied the property at 1F, 346A Leith Walk, Edinburgh by way of Private Residential Tenancy Agreement dated 2 February 2018.
2. Rent was due to be paid at the rate of £700 per month.
3. The amount outstanding in rent was £2100

Reasons for decision

1. There was no appearance by the respondent at the hearing.
2. Documentary evidence proved the contract namely that the respondent had occupied the property at a rent of £700 per month. Rent of £2100 had not been paid. A rent statement was provided.
3. Accordingly an order was made for payment of the outstanding rent.

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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

Mark Thorley

Legal Member/Chair

Date

11 July 2019