



**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**

**Chamber Ref: FTS/HPC/CV/19/0796**

**Re: Property at Lodge Cottage, Craigbeck, Moffat, DG10 9QP (“the Property”)**

**Parties:**

**Mrs Annie Elvin Meehan, C/O Hillmount Cottage, Birgham, Coldstream, TD12  
4NE (“the Applicant”)**

**Mr Jason Allen, Mrs Sarah Allen, Lodge Cottage, Craigbeck, Moffat, DG10 9QP  
 (“the Respondent”)**

**Tribunal Members:**

**Alison Kelly (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order for payment in the amount of £2700 should  
be granted.**

**Background**

The Applicant lodged an application on 11<sup>th</sup> March 2019, seeking payment of rent  
arrears from the Respondents under Rule 70 of the Tribunal’s Rules of Procedure.

Lodged with the Application were:

1. Copy lease
2. Copy Rent Statement

Service of the Application by Sheriff Officer failed, and the Application was served by  
way of advertisement on the website of the First-tier Tribunal for Scotland Housing  
and Property Chamber website, between 2<sup>nd</sup> May and 6<sup>th</sup> June 2019.

## Case Management Discussion

The Applicant was represented by Kirsten Brown of McJarrow and Stevenson, Solicitors. The Respondents did not appear and were not represented.

Miss Brown submitted that in terms of the lease the rental payment was £450 per month. No rent was paid by the respondents in August 2018, and no rent was paid between the months of October 2018 and February 2019, when the Application was lodged. She did not seek an order for payment of rent after February 2019. This equated to 6 months' missed payments, totalling £2700.

## Findings In Fact

1. The tenancy was constituted by way of a lease dated 20<sup>th</sup> and 21<sup>st</sup> October 2016;
2. The monthly rental payment was £450.
3. The Respondents were in arrears by at least the amount of £2700.

## Reasons For Decision

There being rent arrears in at least the amount of £2700, the order should be granted.

## 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 Alison J Kelly

Legal Member/Chair

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Date

6/6/19