

**Housing and Property Chamber**  
First-tier Tribunal for Scotland



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**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies)(Scotland) Act 2016.**

**Chamber Ref: FTS/HPC/CV/19/0901**

**Re: Property at 7g Meadowside Place, Airdrie, ML6 7AW (“the Property”)**

**Parties:**

**Broomfield Properties, 202 Mansfield Road, Edinburgh, EH14 7JX (“the Applicants”)**

**Mr Craig Morrison, 168F Clark Street, Airdrie, ML6 6DZ (“the Respondent”)**

**Tribunal Members:**

**Lesley Ward (Legal Member)**

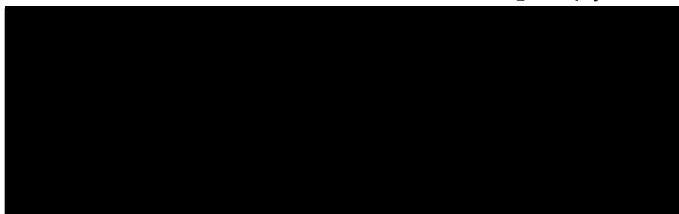
**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment by the respondent to the applicants in the sum of eight hundred and ninety three pounds and eighty seven pence (£893.87) be made.**

This is a case management discussion ‘CMD’ in connection with an application in terms of rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, ‘the rules’ and s71(1) of the Private Housing (Tenancies) Scotland Act 2016, ‘the Act’.

The application was made on the applicants’ behalf by Ms Vicki McGuire of Jewel Homes. Ms McGuire attended the CMD on behalf of the applicants. The respondent did not attend and was not represented. The tribunal had sight of the sheriff officer’s execution of service dated 16 April 2019 which confirmed that they effected personal service on the respondent on that date. The tribunal proceeded with the CMD in terms of rule 29 on the basis that the terms of rule 24 had been complied with.

The tribunal had before it the following copy documents:



1. Application dated 19 March 2019 and received on the 20 March 2019.
  2. Photographs.
  3. Rent statement.
  4. Invoice for removal of items.
  5. Private residential tenancy agreement
  6. Invoice from tracing agent.
  7. Tracing agent report.
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## Discussion

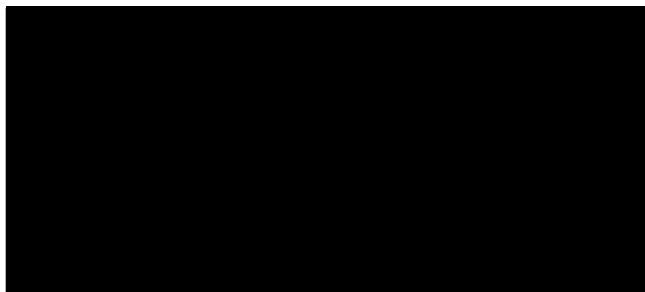
Ms McGuire stated that she was seeking an order for £893.87 in respect of rent arrears, tracing costs and costs involved in removal of furniture. The property was let is unfurnished and the respondent left several items of furniture, as the photos show. He left without giving any notice. Rent arrears accrued from around June 2018 and the claim is only in respect of arrears up to the point that the respondent left the property He failed to give a forwarding address despite the terms of the tenancy agreement.

## Findings in fact

1. The parties entered into a private residential tenancy agreement in June 2018 for the let of the property with rent payable at £450 per 4 weeks.
2. The respondent left the property around October 2018
3. Rent arrears of £658.87 accrued from June 2018 to October 2018.
4. The arrears of rent remain outstanding.
5. The applicants incurred costs of £160 to remove items of furniture left by the respondent.
6. The applicants incurred costs of £75 in tracing the respondent as he failed to give a forwarding address despite a provision in the tenancy agreement to provide a forwarding address.

## Reasons

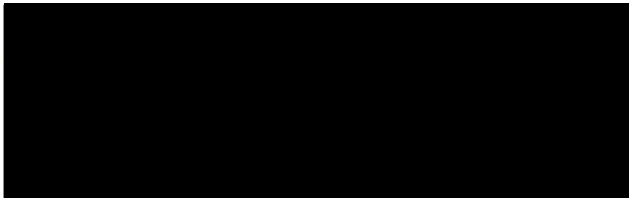
This was a CMD for an undefended application for payment of rent arrears and other costs associated with a private residential tenancy agreement. The tribunal was satisfied that the respondent had received appropriate notice of the CMD. The tribunal was satisfied that it had sufficed information available to make a decision and the procedure had been fair. The tribunal accordingly granted an order for the sum of £893.87.



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## 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.



Lesley A Ward Legal member

10 May 2019

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Date