



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) Act 2016 and Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017**

**Chamber Ref: FTS/HPC/CV/19/1100**

**Re: Property at 26 Chattan Place, Aberdeen, AB10 6RD (“the Property”)**

**Parties:**

**Mr Coin Brown and Mrs Etta Brown, 1 Rowan Court, Darlington, DL3 8SA (“the Applicants”)**

**Ms Tracey Cruickshank, 25 C, Short Loanings, Rosemount, Aberdeen, AB25 2TA (“the Respondent”)**

**Tribunal Members:**

**Andrew Cowan (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to grant an order in favour of the Applicants for payment by the Respondent of the sum of One Thousand Eight Hundred and Twelve Pounds and fifty pence (£1812.50)**

- **Background**

By Application dated 8<sup>th</sup> April 2019, the Applicant sought an order in terms of rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.

The Applicant seeks payment of rent arrears due by the Respondent in the sum of £1812.50.

On 25<sup>th</sup> April 2019, the Application was accepted by the Tribunal and referred for determination by the Tribunal.

## **The Case Management Discussion**

A Case Management Discussion (CMD) took place on 11th June 2019 by telephone conference call.

Both Applicants joined the telephone conference call.

The Respondent did join the telephone conference call.

Notice of the Application and the CMD had been served upon the Respondent by Sheriff Officers on 8th May 2019. The Respondent has not lodged any written representations with the Tribunal.

The Tribunal determined to proceed with the CMD in the absence of the Respondent.

The Tribunal explained the purpose of the CMD and the powers available to the Tribunal to determine matters. The Tribunal asked various questions with regard to the Application and the Applicants confirmed that they wished the Tribunal to grant the order sought in the Application.

The Applicants confirmed that no further payments towards accrued rent arrears had been paid by the Applicant since the date upon which the current Application had been raised.

The Applicants explained to the Tribunal that the sum sought in the Application was the balance of rent due by the Respondent in connection with her occupation of the property.

The Applicants confirmed that the total outstanding rent due by the Respondent is £1812.50

## **Findings in Fact**

The Applicant and the Respondent were respectively the landlords and tenant who entered into a tenancy of the property.

The tenancy was a private residential tenancy and had been executed by all parties.

The tenancy commenced on 22nd October 2018 and terminated on 3rd March 2019.

Throughout the period of the tenancy the rent due by the Respondent was £450 per month.

As at the date of termination of the tenancy the Respondent had accrued arrears of rent due to the Applicant in the sum of £1812.50. No deposit had been paid by the Respondent

The Respondent continues to owe the Applicant rent arrears in the sum of £1812.50.

**Decision**

An order for payment of arrears is granted in the sum of £1812.50

**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.

Mr Andrew Cowan

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Legal Member/Chair

11/6/19  
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Date