



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) (Scotland) Act 2016 (Act)

Chamber Ref: FTS/HPC/CV/19/1228

Re: Property at 1/1 21 Hayburn Street, Partickhill, Glasgow, G11 5AY (“the Property”)

Parties:

Mr Steven Gallacher, Ms Nagore Penandes, 34 Hughenden Gardens, Glasgow, G12 9YH (“the Applicant”)

Ms Kirsty Catherine Maclaren, Present whereabouts Unknown, Formerly 1/1 21 Hayburn Street, Partickhill, Glasgow, G11 5AY (“the Respondent”)

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent pay the Applicant the sum of £5,675.00.

Background

This is an application for payment in respect of rent arrears under section 71(1) of the Act and Rule 111 of the Procedure Rules.

The Tribunal had regard to the following documents:

1. Application dated 16 April 2019;
2. Private Residential Tenancy Agreement (**PRTA**) dated 1 August 2018;
3. Schedule of Rent Arrears as at 1 April 2019;
4. Certificate of Service by advertisement dated 30 July 2019.

Case Management Discussion (CMD)

The case called for a CMD on 31 July 2019. The Applicants were represented by their solicitor. The Respondent did not appear and was not represented.

The Tribunal had regard to the Certificate of Service of the CMD Notification by advertisement upon the Respondent. The Tribunal was satisfied that the Respondent had notification of the CMD and that the Tribunal could determine matters in her absence if satisfied that it had sufficient information and it was fair to do so.

The Tribunal considered the documentation and made the following findings in fact:

1. The Parties entered in to a PRTA commencing 1 August 2018;
2. The Monthly rent was £1,195;
3. As at 1 April 2019 the rent arrears were £5,675.

The Tribunal was satisfied that it had sufficient information to determine the matter at this stage and that it was fair to do so. The Tribunal determined that the Respondent was due to pay the Applicant the sum of £5,675 in respect of rent arrears.

The Tribunal accordingly granted an order for payment in that amount.

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.

A S.

Legal Member/Chair

31 July 2019

Date