



**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/21/1323**

**Re: Property at 70 Stock Street, Flat 1/1, Paisley, PA2 6NJ (“the Property”)**

**Parties:**

**Mr Vijay Gindha, 279 Castlemilk Road, Kingspark, Glasgow, G44 4LE (“the Applicant”)**

**Mr Peter Moore, 70 Stock Street, Flat 1/1, Paisley, PA2 6NJ (“the Respondent”)**

**Tribunal Members:**

**Nairn Young (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that**

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent to the Applicant in terms of a private residential tenancy agreement concerning the Property. It called for a case management discussion (‘CMD’) at 2pm on 5 August 2021, by teleconference. The Applicant called in to the conference in person. The Respondent did not call in to the conference and was not represented. The Tribunal allowed until 2:10pm before commencing the CMD, in case the Respondent was unable to join due to technical issues, but no contact was made by him.

The application, with details of the CMD, was served on the Respondent by sheriff officers on 13 June 2021. No written representations have been received from the Respondent. The Tribunal considered that sufficient notice of the CMD had been given to the Respondent and that to delay consideration of the matter in the hope of securing his attendance would not be in the interests of justice. The CMD therefore proceeded.

- Findings in Fact

1. The Respondent lets the Property from the Applicant in terms of a private residential tenancy agreement, with a start date of 8 February 2020.
2. In terms of that agreement, rent of £450 per month is due on the eighth day of each month.
3. For the month of September 2020 only, it was agreed between the parties that the rent due would be reduced to £400.
4. From the commencement of the tenancy to 8 May 2021 (inclusive), the respondent paid £4,200 in rent.
5. This application was submitted on 2 June 2021.
6. As at that date, the Respondent owed £2,950 in arrears of rent.

- Reasons for Decision

7. The Respondent owes the Applicant £2,950 in arrears of rent and an order for payment of that amount should therefore be made.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of £2,950 (TWO THOUSAND, NINE HUNDRED AND FIFTY POUNDS STERLING).

### **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.**

N. Young

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**Legal Member/Chair**

**5 August 2021**  
**Date**