

**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)  
2014 (Act)**

**Chamber Ref: FTS/HPC/CV/19/1343**

**Re: Property at 61 St Fillans Road, St Mary's, Dundee, DD3 9JE ("the  
Property")**

**Parties:**

**Mr Lee Brown, Mrs Jan Brown, 309 Strathmartine Road, Dundee ("the  
Applicant")**

**Ms Charley Duggan, 84 Dunmore Street, Dundee ("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 be ordered to pay the Applicant the  
sum of £2,892.04.**

**Background**

This is an application for payment in respect of rent arrears under section 16 of the  
Act and Rule 70 of the Tribunal Procedure Rules.

The Tribunal had regard to the following:

1. Application dated 3 May 2019;
2. Tenancy Agreement dated 20 July 2017;
3. Statement of Rent Arrears;
4. Sheriff Officer Certificate of Service dated 23 May 2019.

**Case Management Discussion (CMD)**

The case called for a CMD on 26 June 2019. The Applicant was not present but was  
represented by Mr Piggott, Solicitor. The Respondent was not present or  
represented.

The Tribunal was satisfied that notification of the CMD had been served on the  
Respondent by Sheriff Officers on 23 May 2019. The Respondent was aware that the

Tribunal could determine matters in her absence if satisfied that it had sufficient information to do so and it was fair.

Having considered the papers the Tribunal found:

1. The Parties had entered in to a lease of the Property from 1 August 2017 until 15 March 2019;
2. The monthly rent was £700;
3. As at 15 March 2019 the Respondent was £2,892.04 in arrears of rent.

The Tribunal was satisfied on the basis of the documentation that the sum of £2,892.04 was due and that it was fair to make an order for payment at this stage.

### **Decision**

The Tribunal granted the order for payment in the sum of £2,892.04.

### **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.**

Alan Strain  
\_\_\_\_\_  
Legal Member/Chair

26 June 2019  
\_\_\_\_\_  
Date