



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 14 of the Housing (Scotland)
Act 2016**

Chamber Ref: FTS/HPC/CV/19/1453

**Re: Property at 1 Mains Aberdalgie Cottage, Aberdalgie, By Perth, PH2 0QD
("the Property")**

Parties:

**Aberdalgie and Forteviot Farming Partnership, Dupplin Estate Office, Dupplin
Estate, Perth, PH2 0PY ("the Applicant")**

**Mr Christopher Scott, Mrs Hazel Scott, 13 Leonard Street, Perth, PH2 8ET ("the
Respondents")**

Tribunal Members:

Helen Forbes (Legal Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the
Tribunal") determined that an order for payment should be granted in favour of
the Applicant against the Respondents in the sum of Two thousand one
hundred and forty three pounds and seventy eight pence (£2,143.78)**

Background

This is an application in terms of Rule 70 of the First-tier Tribunal for Scotland
Housing and Property Chamber (Procedure) Regulations 2017 ("the Rules") for an
order for payment in respect of rent arrears. The application was dated 8th May 2019.
The Applicant sought an order in the sum of £2,686.63 being the amount of arrears
at the time of lodging the application.

The parties entered into a tenancy agreement that commenced on 1st April 2007.
The monthly rent was £542.85. The tenancy ended on 2nd April 2019.

Case Management Discussion

A Case Management Discussion took place at the Inveralmond Business Centre in Perth on 2nd July 2019. Mrs Donryn Dewar appeared on behalf of the Applicant. The Respondent, Mr Scott was in attendance. The Respondent, Mrs Scott was not in attendance. The Tribunal was satisfied that Mrs Scott had received notice of the Case Management Discussion and that the relevant papers had been served upon her by Sheriff Officers on 3rd June 2019. The Tribunal decided that it was appropriate to proceed with the application on the representations of the Applicant, Mr Scott and the material before the Tribunal, all in terms of Rule 29.

Mrs Dewar lodged an amended rent statement reducing the balance due to £2,143.78. The reduction was due to the fact that the full month's rent for April 2019 had been applied to the rent statement lodged with the application; however, the Respondents had left the Property on 2nd April 2019, thereby reducing the outstanding rent to £2,143.78.

Mr Scott agreed that sum of £2,143.78 was outstanding and had no objection to the amended statement being accepted by the Tribunal.

Findings in Fact

1. The parties entered into a tenancy agreement in respect of the Property that commenced on 1st April 2007.
2. The monthly rent was £542.85.
3. The tenancy ended on 2nd April 2019.
4. Rent in the sum of £2,143.78 lawfully due was unpaid at the end of the tenancy.

Reasons for Decision

Rent lawfully due by the Respondent to the Applicant in the sum of £2,143.78 was outstanding. The Respondent is entitled to an order for payment of rent lawfully due. The Respondent, Mr Scott, did not dispute that the rent was outstanding.

Decision

An order for payment is to be granted in favour of the Applicant against the Respondent in the sum of Two thousand one hundred and forty three pounds and seventy eight pence (£2,143.78)

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.

Helen Forbes

Legal Member/Chair

2nd July 2019

Date