

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Chamber Ref: FTS/HPC/CV/19/1471

Re: Property at 42 Calder Street, Flat 2/2, Glasgow, G42 7RU (“the Property”)

Parties:

Mr Riccardo Cornacchia, c/o Cairn Letting Ltd, 34 Gibson Street, Glasgow, G12 8NX (“the Applicant”)

Mr Vladimir Turtak, Mrs Simona Turtakova, 42 Calder Street, Flat 2/2, Glasgow, G42 7RU (“the Respondent”)

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment of £2465 should be made.

Background

The Applicant lodged an application on 14th May 2019 seeking payment of arrears of rent of the Respondents in terms of Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”).

Lodged with the Application were:

1. Rent Statement
2. Copy Tenancy Agreement

Sheriff Officers were unable to serve the Tribunal papers. They confirmed that the property appeared to be empty and unoccupied, and the application was thereafter served by way of advertisement on the Tribunal’s website.

Case Management Discussion

The Applicant was represented by Gemma Waters of Cairn Letting Limited. The Respondents did not appear and were not represented.

The Chairperson explained the purposes of a Case Management Discussion in terms of Rule 17 of the Rules.

Miss Waters submitted that an order for payment should be made. She submitted a rent statement and sought that the order should be in the amount of £2465.

The Chairperson enquired about the deposit paid. Miss Waters said that would stand to be deducted. It amounted to £495. She agreed that the order should be granted in the amount of £1970 should be granted.

Findings In Fact

1. The parties entered in to a Private Residential Tenancy Agreement for the property, commencing 3rd September 2019;
2. The monthly rental was £495;
3. A deposit of £495 was paid by the respondents;
4. The Applicant was seeking payment of arrears of £2465;
5. The Respondents have not paid any rent since December 2018, and were in arrears of £2465.

Reasons For Decision

The Respondents are in arrears of rent to the amount sought by the Applicant.

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.

Alison Kelly

Legal Member/Chair

J

Date

2/8/19