



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51 of the Private Housing (Tenancies)(Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/21/1743

Re: Property at Flat 6, 10 Scott Street, Perth, PH1 5EJ (“the Property”)

Parties:

Mrs Amanda Fooks, 154B High Street, Newburgh, Fife, KY14 6DZ (“the Applicant”)

Mr John Cowie, 2 Tulliebelton Road, Bankfoot, PH1 4BS (“the Respondent”)

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment in the amount of £3829.25 should be granted.

Background

On 21st July 2021 the Applicant lodged an application under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”), seeking payment of arrears of rent in the amount of £3829.25.

Lodged with the application were:-

1. The Tenancy Agreement showing a start date of 20th January 2020 and rent due of £475 per month;
2. Rent Statement

The application and Notice of Case Management Discussion were served on the Respondent by Sheriff Officer.

Case Management Discussion

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was represented by Jennifer Kent of PKC Lets. There was no attendance by the Respondent or any representative on his behalf.

The Tribunal explained the purposes of a CMD in terms of Rule 17 of the Rules. Miss Kent confirmed that the respondent had been evicted from the rental property on 4th May 2021 and she was seeking an order for payment in the amount of £3829.25, being the amount of arrears as at 4th May 2021, shown in the rent statement lodged.

Findings in Fact

1. The parties entered into a Tenancy Agreement in respect of the property;
2. The Tenancy Agreement had a commencement date of 20th January 2020;
3. The monthly rent was £475;
4. The respondent left the property on 4th May 2021;
5. The arrears are £3829.25;

Reasons for Decision

The Respondent was in arrears of £3829.25.

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

1st October 2021

Legal Member/Chair

Date