



**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 (Act)**

Chamber Ref: FTS/HPC/CV/19/1752

**Re: Property at 251 Cedar Road, Cumbernauld, Glasgow, G67 3AT (“the
Property”)**

Parties:

Mr Colin Lang, 2 Marguerite Gardens, Lenzie, Glasgow (“the Applicant”)

**Ms Alison McWilliam, 251 Cedar Road, Cumbernauld, Glasgow, G66 4LG (“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 sum of
£10,500 to the Applicant.**

Background

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

The Tribunal had regard to the following documents lodged with the application:

1. Short Assured Tenancy (**SAT**) commencing 10 February 2016;
2. Schedule of rental arrears as at 1 June 2019.
3. Certificate of Service of CMD Notification by Sheriff Officers dated 1 July
2019.

Case Management Discussion (CMD)

A.Strain

The case called for a CMD on 31 July 2019. The Applicant was not present but was represented by Coda Estates. The Respondent did not appear and was not represented.

The Tribunal was satisfied that the Respondent had service of the notification of the CMD from Sheriff Officers due to the Certificate of Service provided to the Tribunal dated 1 July 2019. The Respondent was accordingly aware that the Tribunal could proceed in her absence and make a decision if satisfied that it had sufficient information upon which to do so and it was fair.

The Tribunal considered the documentary evidence and made the following findings in fact:

1. The Parties entered in to a valid SAT commencing 10 February 2016;
2. The monthly rent was £300;
3. As at 1 June 2019 the arrears of rent were £10,500.

The Tribunal was satisfied that it had all the information it needed to make a decision at this stage and that it was fair to do so. The Respondent was in arrears to the sum of £10,500 and the Applicant was entitled to payment in that amount.

The Tribunal granted the order for payment in that amount.

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.

A.Strain

Legal Member/Chair

31 July 2019

Date