



**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/19/1933**

**Re: Property at 237 Pittencrieff Street, Dunfermline, Fife, KY12 8AW (“the  
Property”)**

**Parties:**

**Kingdom Initiatives Limited, Saltire Centre, Pentland Court, Glenrothes, KY6  
2DA (“the Applicant”)**

**Miss Lisa Black, 237 Pittencrieff Street, Dunfermline, Fife, KY12 8AW (“the  
Respondent”)**

**Tribunal Member:**

**George Clark (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the application, amended to increase the amount  
sought, should be granted without a hearing and made an Order for Payment  
by the Respondent to the Applicant of the sum of £2,854.79**

**Background**

By application, received by the Tribunal on 21 June 2019, the Applicant sought an Order for Payment against the Respondent in respect of arrears of rent for the Property. The sum sought was £1,940.83.

The application was accompanied by copies of a Short Assured Tenancy Agreement between the Parties, commencing on 15 March 2017 at a rent of £434.96 per calendar month and a Rent Statement showing arrears of £1,940.83 as at 12 June 2019.

On 12 July 2019, the Tribunal advised the Parties of the date, time and venue for a Case Management Discussion and the Respondent was invited to make written representations by 5 August 2019. The Respondent did not make any written representations to the Tribunal.

### **Case Management Discussion**

A Case Management Discussion was held at Fife Voluntary Action, 16 East Fergus Place, Kirkcaldy on the morning of 21 August 2019. Mrs Agnes Murray and Miss Eilidh McNally, both Senior Customer Accounts Advisors with Kingdom Housing Association Limited were present and the Applicant was represented by Mr Neil Casey of Shepherd and Wedderburn solicitors, Glasgow. The Respondent was not present or represented. The Applicant's representative confirmed that no rent had been paid since the date of the application and asked the Tribunal to allow him to amend the application to increase the amount sought to £2,854.79, which represented the arrears to date and to make the Order for Payment without a hearing.

### **Reasons for Decision**

Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 states that the Tribunal may do anything at a Case Management Discussion which it may do at a hearing, including making a decision. The Tribunal was satisfied that it had before it all the information and documentation it required and that it would determine the application without a hearing. The Tribunal was content to allow the amendment sought by the Applicant and was satisfied that the increased amount sought by the Applicant was lawfully due by the Respondent and that an Order for Payment should be made.

### **Decision**

The Tribunal determined that the application should be granted without a hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £2,854.79.

### **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.**

**George Clark**

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**Legal Member/Chair**

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**Date** 21 August 2019