



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/20/1179

Re: Property at 23 Monart Road, Perth, PH1 5US (“the Property”)

Parties:

3 Point Management Ltd., 8 Muirend Avenue, Perth, PH1 1JL (“the Applicant”)

Ms Lisa-Ann Duffy, 38 Lorimer Street, Perth, PH1 0AR (“the Respondent”)

Tribunal Members:

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 should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £3,788.89.

Background

By application, received by the Tribunal on 15 May 2020, the Applicant sought an Order for Payment in respect of unpaid rent lawfully due by the Respondent to the Applicant. The sum sought was £3,788.89.

The application was accompanied by a copy of a Short Assured Tenancy Agreement between the Parties commencing on 9 December 2017 at a monthly rent of £625, and a Rent Statement showing arrears as at 30 April 2020 of £3,788.89. The Applicant stated that the tenancy had ended on 9 January 2020 and the sum sought represented the arrears as at that date.

On 8 July 2020, the Tribunal advised the Parties of the date and time for a Case Management Discussion and the Respondent was invited to make written representations to the Tribunal by 29 July 2020. The Respondent did not make any written representations to the Tribunal.

Case Management Discussion

A Case Management Discussion was held by way of a telephone conference call on the morning of 6 August 2020. The Applicant, represented by Mr J Bruce Innes, one of its Directors, participated in the conference call. The Respondent did not participate and was not represented. The Applicant confirmed that no payments of rent had been made since the date of the application and asked the Tribunal to make an Order for Payment without a Hearing.

Reasons for Decision

Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations provides 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 to enable it to decide the application without Hearing. The Tribunal was satisfied that the amount sought had become lawfully due by the Respondent to the Applicant and remained unpaid.

Decision

The Tribunal determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £3,788.89.

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

Legal Member/Chair

06/08/2020

Date