



Decision on Case Management Discussion of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (‘The Procedure Rules’) in relation to an application for civil proceedings relative to a Private Residential Tenancy under Rule 111 of the Procedure Rules.

Chamber Ref: FTS/HPC/CV/20/2091

Re: 30 Chesterfield Court, 12 Dorchester Place, Glasgow, G12 0BW (‘the Property’)

Parties:

Montague Ashley- Craig, Flat 3, 345a Mare Street, London, E8 3RH (‘the Applicant’)

Matthew Dent and Mrs Yanisa Dent residing at Flat 30 Chesterfield Court, 12 Dorchesterfield Place, Glasgow, G12 0BW (‘the Respondents’)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’)

Tribunal Member: Jacqui Taylor (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’) dismissed the Application.

Background

1. The Applicant submitted an Application to the Tribunal for payment of arrears of rent in the sum of £3875 being the sum outstanding as at 1st October 2020.

2. Documents lodged with the Tribunal.

Documents lodged with the Tribunal by the Applicant were:

- 2.1** A copy of the Tenancy Agreement.
- 2.2** A copy of the rent statement.

3. By Notice of Acceptance dated 14th October 2020 by Alan Strain, Convener of the Tribunal, he intimated that he had decided to refer the Application (which

application paperwork comprises documents received on 1st October 2020) to a Tribunal.

4. Case Management Discussion

This case called for a Case Management Discussion (CMD) Conference call at 10am on 24th November 2020.

The parties did not attend.

The clerk telephoned the Applicant at 10.10 am on 24th November 2020 who advised that the Respondents had paid the sums due in full and she apologised for not advising the Tribunal sooner.

5. Decision

The Tribunal dismissed the Application.

6. 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.

J. Taylor
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... Legal Member

24th November 2020