



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the 2017 Regulations”)

Chamber Ref: FTS/HPC/CV/19/2090

Re: Property at Flat 0/2, 2178 Dumbarton Road, Yoker, Glasgow, G14 0JJ (“the Property”)

Parties:

Kaiser Electronics PTE Ltd, Trident House, 175 Renfrew Road, Paisley, PA3 4EF (“the Applicant”)

Mr Hardeep Singh, Flat 0/2, 2178 Dumbarton Road, Yoker, Glasgow, G14 0JJ (“the Respondent”)

Tribunal Members:

Graham Dunlop (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

Background

The applicant and respondent are parties to a tenancy agreement in respect of the property. The tenancy agreement is dated 20th November 2017. The respondent vacated the property in the week prior to the CMD on 13th September 2019. The Tribunal have previously been provided with a copy of the tenancy agreement and statement of outstanding rent.

Case Management Discussion

Mr Ritchie, solicitor, appeared for the applicant and provided sight an updated statement showing the rent due had increased from the sum sought of £2,620, but that the applicant was not seeking to amend the order sought.

The applicant seeks interest. The tenancy agreement makes provision for interest at the rate of 8%.

The application seeks expenses. There was a brief discussion on the issue of expenses and the claim for expenses was withdrawn. Had expenses been insisted upon I would not have made an award due to the absence of evidence of unreasonable behaviour causing unnecessary or unreasonable expense, as required in accordance with rule 40 of the 2017 Regulations.

Findings in Fact

I find that the applicant and respondent entered into a tenancy agreement which obliged the respondent to meet the rent due under the agreement.

I find that the tenant has caused arrears to accrue which at the time of presenting the application amounted to £2,620.00

Reason for Decision

I was satisfied that service of the proceedings including notice of the CMD was made by Sheriff Officers. At the same time the respondent was provided with time to pay application forms and guidance.

I was satisfied that there were rental arrears amounting to £2,620 at the time of the application and that the arrears had more recently increased.

Decision

I make an order for payment in the sum of £2,620 together with (simple) interest at the rate of 8% per annum.

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.

G. Dunlop

Legal Member/Chair

Date

12th September 2019