



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber)**

**Chamber Ref: FTS/HPC/CV/19/2538**

**Re: Property at Flat 2/2, 6 Meadowbank Street, Dumbarton, G82 1SD (“the Property”)**

**Parties:**

**Mr Amar Singh Uppal, Vieward, Lusset Road, Old Kilpatrick, Glasgow, G60 5LU  
 (“the Applicant”)**

**Mr Robbie Etheridge, Flat 2/2, 6 Meadowbank Street, Dumbarton, G82 1SD  
 (“the Respondent”)**

**Tribunal Members:  
Virgil Crawford (Legal Member)**

**Representation:  
Applicant: Miss K Donnelly, Bannatyne, Kirkwood, France & Co., Glasgow**

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

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

**BACKGROUND**

1. By lease dated 14 September 2018 the Applicant let the Property to the Respondent. The lease is a Private Residential Tenancy in terms of the Private Housing (Tenancies)(Scotland) Act 2016;
2. The start date of the tenancy was 24 September 2018;
3. The rent payable was £395.00 per calendar month, payable in advance;
4. Rent arrears began accruing from March 2019. Only £5.00 was paid in rent that month. No further payments of rent have been made since then;
5. On 12 August 2019 an application was made to the Tribunal for an order for payment of rent arrears and interest thereon. At that time the arrears amounted to £1,980.00;
6. On 1 October 2019 an application was received to amend the amount due to £2,760.00. This was intimated to the Respondent;

## THE CASE MANAGEMENT DISCUSSION

7. The Applicant did not attend the Case management Discussion but was represented by Miss Donnelly, Messrs Bannatyne, Kirkwood, France & Co., Glasgow;
8. The Respondent failed to attend. The Tribunal was in receipt of an execution of service by sheriff officers confirming that the place, date and time of the Case Management Discussion had been intimated to the Respondent, together with a copy of the case papers. In the circumstances the Tribunal, being satisfied in terms of Rule 24 of The First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (the "FTT Rules") that the Respondent had received reasonable notice of the same determined that it was appropriate to proceed in accordance with Rule 29 of the FTT Rules;
9. The Applicant's Representative moved the Tribunal to amend the sum claimed to £2,760 in terms of Rule 14A of the FTT Rules. The Tribunal allowed the amendment;
10. The Applicant's representative sought interest on the sum due at the rate of 3% per annum. The Tribunal agreed to order interest at that rate;

## FINDINGS IN FACT

11. The Tribunal found the following facts to be admitted or proved:-
  - i. By lease dated 14 September 2018 the Applicant let the Property to the Respondent. The lease is a Private Residential Tenancy in terms of the Private Housing (Tenancies) (Scotland) Act 2016;
  - ii. The start date of the tenancy was 24 September 2018;
  - iii. The rent payable was £395.00 per calendar month, payable in advance;
  - iv. Rent arrears began accruing from March 2019. Only £5.00 was paid in rent that month. No further payments of rent have been made since then;
  - v. On 12 August 2019 an application was made to the Tribunal for an order for payment of rent arrears and interest thereon. At that time the arrears amounted to £1,980.00;
  - vi. On 14 October 2019, the date of the Case Management Discussion, the arrears amounted to £2,760.00;
  - vii. The sum of £2,760.00 is due and payable by the Respondent to the Applicant;

## DECISION

The Tribunal granted an order against the Respondent for payment of the sum of TWO THOUSAND SEVEN HUNDRED AND SIXTY POUNDS (£2,760.00)

STERLING to the Applicant, with Interest thereon at the rate of 3 per centum per annum from 14 October 2019 until payment.

### **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.

**Virgil Crawford**  
**Legal Member/Chair**

14 October 2019

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Date