



**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/18/2779**

**Re: Property at 1/3, 14 Strachur Crescent, Lambhill, Glasgow, G22 6RB (“the  
Property”)**

**Parties:**

**Lowther Homes Limited, 25 Cochrane Street, Glasgow, G1 1HL (“the  
Applicant”) represented by Mr David Adams, Solicitor**

**Ms Catherine Slimani, 1/3, 14 Strachur Crescent, Lambhill, Glasgow, G22 6RB  
 (“the Respondent”)**

**Tribunal Members:**

**Patricia Pryce (Legal Member)**

**Decision in absence of the Respondent**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order for payment in the sum of £3,980.12  
should be granted.**

- **Background**

This is an application in terms of Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”). The Applicant is seeking an order for payment in the sum of £3,980.12 in terms of Section 16 of the Housing (Scotland) Act 2014. The Applicant also seeks interest at the rate of interest of 8% thereon. The Tribunal had before it the Application which consisted of documents received on 18 October 2018.

- **The Case Management Discussion**

The Applicant attended the CMD. The Respondent did not attend the CMD nor was she represented. The Respondent did not submit any representations to the

Tribunal. The Tribunal continued in terms of Rule 29 of the Rules. The Tribunal considered the Application.

- **Findings in Fact**

1. The parties entered into a tenancy agreement in respect of the property at Flat 1/3, 14 Strachur Crescent, Lambhill, Glasgow, G22 6RB, which agreement commenced on 30 March 2012.
2. In terms of the agreement, the Respondent agreed to pay monthly rent for the property in the sum of £510 per calendar month.
3. The Respondent started to default on payment of the rent around 5 years prior to the Application.
4. The Respondent has made no payment of rent since 24 August 2018.
5. The Respondent was not currently in receipt of housing benefit or universal credit.
6. The Respondent has made no contact with the Applicant since the Application was lodged, other than to email to advise that she intended to leave the property on or about 30 November 2018.
7. The Applicant does not know if the Respondent remains in occupation at the property.
8. Sheriff Officers effected service of the Application on the Respondent at the property.

- **Reasons for Decision**

The Respondent has made no payment of rent lawfully due in terms of the tenancy agreement entered into between the parties since August 2018. The arrears sought by the Applicant amounted to £3,980.12.

The Applicant originally sought payment of £3,980.12 together with interest at the rate of 8% per annum. However, at the CMD, the Applicant's solicitor submitted that he was no longer insisting on the payment of interest.

- **Decision**

The Tribunal granted an order for payment in the sum of £3980.12.

## **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.**

# Ms Patricia Pryce

Patricia Pryce

12 December 2018

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Legal Member/Chair

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Date