



**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/18/3016**

**Re: Property at 17 Drumine Road, Forres, IV36 1HX (“the Property”)**

**Parties:**

**Mr Robert Patience, 5 Main Street, New Elgin, Elgin, IV30 6BQ (“the Applicant”)**

**Ms Michelle Owens, 17 Drumine Road, Forres, IV36 1HX (“the Respondent”)**

**Tribunal Members:**

**Mark Thorley (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent pay to the Applicant the sum of £4000 ( Four Thousand Pounds)**

**Background**

**By application dated 5 November 2018 the Applicant applied to the Tribunal under Rule 70. The application was accompanied by a copy lease dated 1 and 3 August 2018, copy AT5, copy Notice to Quit, Copy Notice of Proceedings, copy breakdown of arrears and copy AT6. A copy title sheet was subsequently produced.**

**No response was received from the Respondent.**

**The Case Management Discussion (CMD)**

**At the CMD the Applicant appeared. There was no appearance by or on behalf of the Respondent.**

M. Thorley

**Papers intimating the application and the date of the CMD had been served on the Respondent.**

**No rent payment had been received since the application was made.**

### **Findings in Fact**

**1 The tenancy between the parties was constituted by Tenancy Agreement dated 1 and 3 August 2018.**

**2 Rent arrears amounting to £4000 had accrued by the date of the application**

**3 The Respondent had received all relevant paperwork**

### **Reasons for Decision**

**The Applicant confirmed that rent was still outstanding and that nothing further had been paid since the date of the application.**

**The Respondent did not attend the CMD and had made no written representations contradicting the position as set out by the Applicant.**

### **Decision**

**An order for payment by the Respondent to the Applicant of £4000 was made.**

### **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.**

M. Thorley

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**Legal Member/Chair**

27 Feb 2019  
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**Date**