

Housing and Property Chamber
First-tier Tribunal for Scotland



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/19/3170

Re: Property at 36 Buchanan Crescent, Livingston, EH54 7EE (“the Property”)

Parties:

Mr Michael Allen, Apartment 2402, Burij Residences, Dubai, United Arab Emirates (“the Applicant”)

Ms Carol Wilson, 36 Buchanan Crescent, Livingston, EH54 7EE (“the Respondent”)

Tribunal Members:

George Clark (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 by the Respondent to the Applicant of the sum of £2204.92 be made.

Background

The Applicant applied by application dated 6 October 2019 for payment of rent arrears. The application narrated that the Respondent as at 1 October 2019 was due the sum of £3236.45.

The Applicant was still in occupancy of the property until 28 October 2019.

An adjusted rent statement was subsequently produced to the Tribunal dated 19 November 2019 after the tenancy deposit was applied to the rent arrears showing a figure of £ 2204.92 being due.

The application was served by advertisement.

A handwritten signature in blue ink, consisting of stylized, cursive letters.

The Respondent was in communication with the Tribunal and provided an up to date address. No written representations were made.

Case Management Discussion

At the CMD Mr Bird from BG Property Services appeared for the Applicant. There was no appearance by or for the Respondent.

Mr Bird confirmed that there were no further payments made since the statement dated 19 November 2019 and that the amount of rent outstanding was £2204.42.

Findings in Fact

1 The Respondent was a tenant of the property at 36 Buchanan Crescent Livingston EH54 7EE under a short assured tenancy agreement executed on 10 November 2017.

2 The Respondent remained in the property until 28 October 2019.

3 Taking into account the tenancy deposit payment the rent arrears on the property due by the Respondent was £2204.92.

Reasons for Decision

The Applicants representative confirmed the outstanding rent. This was supported by the rent statement. There was no appearance by the Respondent to contradict this and there were no written representations.

All the paperwork was in order.

Decision

An order for payment by the Respondent to the Applicant of £2204.92 be 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.

George Clark
Legal Member/Chair

14 January 2019
Date