



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 (Act)

Chamber Ref: FTS/HPC/CV/18/3520

Re: Property at 25C Taylors Lane, Dundee, DD2 1AP (“the Property”)

Parties:

Places For People Ltd, C/O Touchstone, Stanley House, Clarence Dock, Leeds, LS10 1PZ (“the Applicant”)

Mr Adam Topen, 25C Taylors Lane, Dundee, DD2 1AP (“the Respondent”)

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the order for payment in respect of rent arrears of £2,200.00 be granted.

Background

This is an application in term of section 16 of the Act seeking payment in respect of rent arrears under Rule 70 of the Procedure Rules.

The following documents were lodged with the application:

1. Application received 24 December 2018;
2. Statement of Rent Arrears as at 13 December 2018;
3. Tenancy Agreement dated 9 November 2016.

Case Management Discussion (CMD)

The case called for a CMD on 13 March 2019. The Applicant was not present but was represented. The Respondent did not appear nor was he represented.

A.Strain

The Tribunal were satisfied that notification of the CMD had been served upon the Respondent by Sheriff Officers due to Certificate of Service dated 20 February 2019. The Respondent was aware that the Tribunal could determine matters if satisfied that it had sufficient information and it was fair to do so.

The Tribunal determined to proceed, considered the documents and made the following findings in fact:

1. The Parties entered in to a Tenancy Agreement in respect of the Property dated 9 November 2016;
2. The monthly rent was £495;
3. As at the raising of the current application the amount of rent arrears stood at £2,200.00 and no payments had been made towards this to date.

The Tribunal determined that it had sufficient information to make a Decision at the CMD and that it was fair to do so.

The Tribunal granted the order for payment in respect of the rent arrears as sought.

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.

A.Strain

Legal Member/Chair

13 March 2019

Date