



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 71(1) of the Private Housing  
(Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/19/3992**

**Re: Property at 4 Union Street, Kelty, KY4 0EE (“the Property”)**

**Parties:**

**Mr George Edward Johnston, 24 Glencairn Road, London, SW16 5DF (“the Applicant”)**

**Mr Graham Smith, UNKNOWN, UNKNOWN (“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 an order for payment by the Respondent to the Applicant of the sum of £1650 be made.**

**Background**

**The Applicant applied to the Tribunal under Rule 111 for an order for payment by the Respondent of £1650.**

**Accompanying the application was a copy of the tenancy agreement and a rent statement.**

**There was a separate Repossession application which was withdrawn as the Respondent vacated the property.**

**The application was served by advertisement. There were no representations by the Respondent.**

## **Case Management Discussion**

**The Applicant solicitor called in by way of conference call. There was no appearance by or for the Respondent.**

**It was confirmed that there were no payments towards the outstanding rent and that rent arrears stood at £1650.**

## **Findings in Fact**

**1 A tenancy agreement was entered in to between the parties dated 7 and 13 March 2019**

**2 Rent was due to be paid at the rate of £410 per calendar month.**

**3 The sum of £1650 was due in outstanding rent.**

## **Reasons for Decision**

**The Applicants agent confirmed that no payments of rent had been made by the Respondent since 28 July 2019. The sum outstanding was £1650.**

**The paperwork was in order. The Respondent had made no representations..**

## **Decision**

**An order for payment by the Respondent to the Applicant in the sum of £1650**

## **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.**

**Mr Mark Thorley**

**17/03/2020**

**Legal Member/Chair**

**Date**