



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

Chamber Ref: FTS/HPC/CV/19/3927

Re: Property at Flat 4, 61 Princes Street, Perth, PH2 8LJ (“the Property”)

Parties:

Mrs Pauline Hood, 14 William Geddes Place, Blairgowrie, Perthshire, PH10 6FE (“the Applicant”)

Ms Clair Connan, Unknown, Unknown (“the Respondent”)

Tribunal Members:

Gabrielle Miller (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicant should be granted an order for payment for £621.94 (SIX HUNDRED AND TWENTY ONE POUNDS AND NINETY FOUR PENCE).

1. An application was received on 11th December 2019. The application was submitted under Rule 111 of The First-tier for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the 2017 Regulations”). The application was based on the Respondent not maintaining rent payments.
2. The Tribunal had before it:-
 - a. Copy Scottish Government Model Private Residential Tenancy Agreement with commencement of tenancy being 7th November 2018;
 - b. Rent statement from 7th November 2018 to 6th November 2019. This detailed the rent of £475 per month and arrears of £621.94;
 - c. Title deeds PTH22906; and
 - d. Notice of Acceptance of Application was signed on 19th December 2019.

3. On 28th January 2020, all parties were written to with the date for the Case Management Discussion (“CMD”) of 4th March 2020 at 10am at Inveralmond Business Centre, Auld Bond Road, Perth. The letter also requested all written representations be submitted by 18th February 2020.
4. Service by advertisement was undertaken carried out on the First-tier Tribunal for Scotland Housing and Property Chamber website between 28th January 2020 and 4th March 2020.

The Case Management Discussion

5. A CMD was held on 4th March 2020 at 10am at Inveralmond Business Centre, Auld Bond Road, Perth. The Applicant did not attend but was represented by Ms Jennifer Kent, Private Sector Coordinator, Perth & Kinross Council. The Respondents were not present. The Tribunal proceeded in terms of Rule 29 of the Rules. The Respondents did not make representations in advance of the hearing. The Respondent moved out of the Property on 6th November 2019. The Applicant has not heard from the Respondent since the keys to the Property were returned. At the time of the tenancy it is believed that the Respondent was in employment. There are not believed to be any Housing Benefit issues (or Housing Element Universal Credit)

Findings and reason for decision

6. A Private Rented Tenancy Agreement commenced 7th November 2018.
7. The Respondent persistently failed to pay her rent charge of £475 per month. The rent payments are due to be paid monthly in advance.
8. There are now no outstanding Housing Benefit issues.
9. The arrears sought totalled £621.94. Amounting to rent arrears

Decision

The Tribunal found that the Applicant was entitled to be granted an order for payment amounting to £621.94.

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.

Gabrielle Miller

04 March 2020

Legal Member/Chair

Date