



**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/18/1135**

**Re: Property at 2/3, 2 Torridon Drive, Renfrew, PA4 0US (“the Property”)**

**Parties:**

**Mr Jagdish Singh Panpher, 25 Corran Avenue, Glasgow, G77 6EX (“the Applicant”)**

**Ms Christina McDonald, 2/3, 2 Torridon Drive, Renfrew, PA4 0US (“the Respondent”)**

**Tribunal Members:**

**Alastair Houston (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 in the sum of THREE THOUSAND TWO HUNDRED AND TWENTY SIX POUNDS AND FIFTY NINE PENCE (£3226.59) STERLING be made in favour of the Applicant.**

**Background**

This is an application under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”). The Applicant is seeking an order for payment of unpaid rent due under the tenancy agreement between the parties. The application was accompanied by a copy of the written tenancy agreement and various supporting documentation.

**The Case Management Discussion**

The Case Management Discussion took place on 24 August 2018. The Applicant was personally present. The Applicant’s representative, Mrs Kainth, attended by conference call. The Respondent was absent. It was noted that there had been no contact from the Respondent with regards to the Case Management Discussion nor any representations submitted by her to the Tribunal.

The Tribunal considered that notice of the Case Management Discussion had been given to the Respondent in terms of the Rules. The Tribunal proceeded with the Case Management Discussion in the Respondent's absence.

The Applicant advised that the amount sought was £3226.59. The Applicant referred to a summary of the unpaid rent that had previously been provided to the Tribunal on 1 August 2018. This summary had anticipated no further payments by the Respondent and had included a rental payment that fell due on 23 August 2018. The Applicant advised that no further payments had been received from the Respondent or directly by way of Housing Benefit since the 27 June 2018. The Applicant asked that an order for payment of £3226.59 be granted.

### **Reasons for Decision**

The Tribunal considered the submissions of the Applicant along with the papers. It was noted that the tenancy agreement contained an obligation upon the Respondent to make payment of rent on a monthly basis, with the sum of £550.00 being due in advance by the 23<sup>rd</sup> day of each month. Accordingly, a rental payment had fallen due on the 23 August 2018.

The application was accompanied by remittance advice from the local authority housing benefit department and bank statements submitted by the Applicant detailing payments received. The Tribunal found that the sum of £3226.59 was due and owing to the Applicant.

### **Decision**

The sum of £3226.59, being unpaid rent due to the Applicant under the tenancy agreement, an order for payment 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.

**Alastair Houston**

**Legal Member/Chair**

**Date**

24 AUGUST 2018