



**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 (Act)**

Chamber Ref: FTS/HPC/CV/18/1638

**Re: Property at 58 Avonbridge Drive, South Lanarkshire, ML3 7EJ (“the
Property”)**

Parties:

**Mr Stephen Stewart, 25 Nursery Grove, South Lanarkshire, ML9 3RT (“the
Applicant”)**

**Miss Stephanie Tobin, Mr Steven Adams, 111 John street, Larkhall, South
Lanarkshire, ML9 2EU (“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 by the Respondent (jointly
and severally or severally) to the Applicant in the sum of £2,240 be granted.**

Background

This is an Application for payment of rent arrears under section 71(1) of the Act and Rule 111 of the Procedure Rules.

The Tribunal had regard to the following documentation:

1. Application received 2 July 2018;
2. Private Residential Tenancy dated 1 February 2018;
3. Statement of Rent Arrears dated 1 August 2018;
4. Sheriff Officer Certificate of Service dated 4 January 2019.

Case Management Discussion (CMD)

The case called for a CMD on 22 January 2019. The Applicant was represented by Ms Easton. The Respondent did not appear nor were they represented.

The Tribunal were satisfied that the Respondent had notification of the CMD and the fact that the Tribunal could determine the matter at the CMD if satisfied that it had sufficient information and it was fair to do so.

The Tribunal found that the Respondent had entered into the tenancy of the Property by lease of 1 February 2018 until they vacated on 1 August 2018. The amount of arrears at that time was £2,240.

The Tribunal were accordingly satisfied that the rent arrears were due and granted the order for payment accordingly.

The Tribunal were satisfied that to grant the order was in accordance with the interests of justice and the overriding objective.

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

Date

22 January 2017