



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017**

**Chamber Ref: FTS/HPC/CV/18/2081**

**Re: Property at 16 Laxford Road, Glenrothes, KY6 2EB (“the Property”)**

**Parties:**

**Ms Yvonne Gray, 4 The Row, Letham, Cupar, KY15 7RS (“the Applicant”)**

**Mr Evgeniy Batchvarov, Ms Ivana Mitsina, 16 Laxford Road, Glenrothes, KY6 2EB (“the Respondents”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member)**

**Decision (in absence of the Respondents)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that**

- This matter called for a Case Management Discussion on 29 November 2018 at 10am in Fife Voluntary Action, 16 East Fergus Place, Kirkcaldy. The Applicant was represented by Mr Robert MacDonald, Solicitor. There was no appearance by or on behalf of the Respondents. Sheriff Officers had intimated the details of the Hearing timeously on the Respondents. The Tribunal therefore felt it appropriate to determine the matter in their absence.
- Mr MacDonald referred to the tenancy agreement lodged with the Application and a rent statement that showed arrears as at the date of the Application of £5,150.00.
- The Tribunal noted that the spelling of the Second Respondent’s name on the Application did not match the exact spelling of her name on the Tenancy. After hearing from Mr MacDonald, the Tribunal allowed the application to be amended to have the Second Respondent’s surname changed from “Mitdina” to “Mitsina”. The Tribunal took the view that this created no unfairness such as should require this amendment to be notified to the Respondents prior to the Application being considered further.

- Having heard from Mr MacDonald that the rent arrears remained outstanding and having considered the terms of the tenancy and the rent statement produced, the Tribunal made a payment order against the Respondents in the sum of £5,150.00.00

### **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 McLaughlin

**Legal Member/Chair**

29/11/18  
**Date**

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