

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014

Chamber Ref: FTS/HPC/CV/18/2357

Re: Property at 21a Douglas Street, Carluke, ML8 5BJ (“the Property”)

Parties:

Mr Martin Gault, Flat 3/1, 9 Waverley Street, Glasgow, G41 2EA (“the Applicant”)

Mr Colin Jackson, 46 Charles Crescent, Carluke, ML8 4NG (“the Respondent”)

Tribunal Members:

Alison Kelly (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment of the sum of £825 should be made.

Background

The Applicant made an application to the Tribunal for an order for payment of rent arrears owed by the Respondent.

Case Management Discussion

The Applicant was represented by Graham Bridges and Lynn Bridges of S & J Property letting Ltd. The Respondent appeared personally and was accompanied by his mother, Sharon Jackson, and his sister, Danuelle Jackson.

Mrs Bridges told the Tribunal that the Respondent had tenanted the property from 7th July 2017 until 6th February 2018. The Respondent found that he could not afford the rent, and the tenancy was terminated by mutual agreement.

7 months' rent had been due, totalling £2625. The Respondent had paid three months' rent, and had agreed that his deposit should be retained towards rent. He had offered to pay the balance of the arrears at £100 per month, and had done so in April, May and June 2018. The balance outstanding was £825.

The Respondent accepted that he owed the sum of £825. He asked if his mother could speak on his behalf. Mrs Jackson explained that she had not kept an eye on whether payments had been made. Her son had not been able to get any housing benefit. He was then not receiving benefits for a period, but has an appointment at the Job Centre this week. She apologised for the lack of payments and said that payments would be made in the future.

Findings in Fact

The respondent is in arrears of rent to the extent of £825.

Reasons for Decision

The Respondent accepted that he was in arrears in the amount of £825.

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 Kelly

Legal Member/Chair

19/11/18

Date