

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/18/3107

**Re: Property at 204 Rowan Road, Cumbernauld, Glasgow, G67 3DB (“the
Property”)**

Parties:

**Mr Colin Lang, 2 Marguerite Gardens, Lenzie, Glasgow, G66 4HB (“the
Applicant”)**

**Mr Brian Buchanan, 204 Rowan Road, Cumbernauld, Glasgow, G67 3DB (“the
Respondent”)**

Tribunal Member:

Nairn Young (Legal Member)

Decision (in absence of the Respondent)

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

- Background

This is an application for an order for payment in relation to arrears of rent in relation to an assured tenancy at the Property. It called for a case management discussion at 2pm on 12 February 2019. The Applicant was not present in person, but was represented by Ms Sharon Cook of Coda Estates. The Respondent was not present or represented.

- Findings in Fact

The following facts were not disputed by the Respondent:

1. The Property was let to the Respondent by the Applicant in terms of an assured tenancy dated 24 February 2017 and commencing the same date. In terms of that tenancy, rent was payable at a rate of £350 per calendar month.

2. The Respondent paid £350 on 24 February 2017. He made no further payment until 3 December 2018, when housing benefit of £237.76 was paid. The arrears as at 23 December 2018 therefore stood at £7112.24. This is the sum requested in the application. Housing benefit remains in payment, but is insufficient to cover the monthly liability for rent. The Applicant has tried to contact the Respondent to discuss the situation, to no avail.

- Reasons for Decision

3. The sum of £7112.24 in relation to rent to 23 December 2018 being outstanding, the Applicant is entitled to an order for payment of that amount by the Respondent.

- Decision

Order for payment of the sum of £7112.24 (SEVEN THOUSAND ONE HUNDRED AND TWELVE POUNDS AND TWENTY-FOUR PENCE STERLING) granted.

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.

N Young

Legal Member/Chair

12 FEBRUARY 2019

Date