



**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/18/3218**

**Re: Property at 2 Danes Crescent, Scotstoun Hill, Glasgow, G14 9AG (“the Property”)**

**Parties:**

**Ms Gail Macleod, 6 Verona Avenue, Glasgow, G14 9DZ (“the Applicant”)**

**Ms Michelle Sweeney, formerly of 2 Danes Crescent, Scotstoun Hill, Glasgow, G14 9AG (“the Respondent”)**

**Tribunal Members:**

**Patricia Pryce (Legal Member)**

**Decision in absence of the Respondent**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to grant an order for payment in the sum of £3,625.87 (THREE THOUSAND SIX HUNDRED AND TWENTY-FIVE POUNDS AND EIGHTY SEVEN PENCE) STERLING.**

- **Background**

The application before the Tribunal at the Case Management Discussion (CMD) sought an order for repayment of rent arrears in the sum of £3,625.87 in respect of the property.

- **The Case Management Discussion**

The Applicant did not attend the case management discussion (CMD). Mr McMillan and Ms O'Donnell, both from Glasgow Property Letting Limited, attended and represented the Applicant.

The Respondent did not attend the CMD nor was she represented.

Service had taken place by way of advertisement on the Tribunal's website as other forms of service had proved ineffective.

Ms O'Donnell submitted that the rent had been £699 per calendar month. The last payment received in respect of the rent had been on 31 August 2018. No rent had been paid since that date. As at the date of the CMD, rent arrears amounted to £4,863. The Applicant sought an order for payment in the sum of £3,625.87. There were no housing benefit issues. The Applicant had been working as a graphic designer when she took entry to the property. She had lived there with her seven year old daughter. The Applicant does not have an up to date address for her. The Respondent vacated the property on 23 January 2019.

- Findings in Fact

1. The parties entered into a tenancy agreement in respect of the property on or about 24 January 2018.
2. The rent for the property was £699 per calendar month.
3. The last payment the Respondent made towards the rent was £800 on 31 August 2018.
4. The Respondent vacated the property on 23 January 2019.
5. The arrears of rent as at the date of the CMD were £4,863.
6. There were no outstanding housing benefit issues.
7. Notice to leave was served by the Applicant's Representative on 15 October 2018.

- Reasons for Decision

The Respondent had made no payment towards the rent since 31 August 2018. The sum requested by the Applicant was due by the Respondent by way of unpaid rent in respect of the property.

- Decision

The Tribunal determined to grant an order for payment in the sum of £3625.87.

## **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.**



May 2019

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Legal Member/Chair

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Date