



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

Chamber Ref: FTS/HPC/CV/20/0113

Re: Property at 20 Sharpe Place, Montrose, DD10 9FH (“the Property”)

Parties:

**Mr Grant Cameron, Mrs Yvonne Cameron, Tamarisk, Millfield Feus, Arbroath,
Angus, DD11 2QJ (“the Applicants”)**

**Mr Graeme McIntosh, 20 Sharpe Place, Montrose, DD10 9FH (“the
Respondent”)**

Tribunal Members:

Josephine Bonnar (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order for payment of the sum of £3450 should be
made in favour of the Applicants against the Respondent.**

Background

- 1.** By application dated 10 January 2020 the Applicants seek a payment order against the Respondent for arrears of rent. A copy tenancy agreement, rent statement and copy letters to the Respondent were lodged in support of the application.
- 2.** A copy of the application and supporting documents were served on the Respondent by Sheriff Officer on 17 February 2020. Both parties were notified that a case management discussion (“CMD”) would take place on 16 March 2020 at Caledonian House, Dundee, which they were required to attend.
- 3.** The application called for a CMD on 16 March 2020. A related application under Chamber reference HPC/EV/20/0109 also called for a CMD. The

Applicants attended and were represented by Mr Skea, Property Manager. The Respondent did not attend and was not represented. The Respondent did not contact the Tribunal in advance of the CMD and did not lodge written representations. Prior to the CMD the Applicants lodged a copy of a letter dated 11 March 2020, addressed to the Respondent, which states that the arrears of rent are now £3450 and provides a breakdown of this figure.

Case Management Discussion (“CMD”)

4. Mr Skea advised the Legal Member that neither he nor the Applicants have had any recent contact from the Respondent. However, he is still occupying the property. He confirmed that no payments toward the rent arrears have been made. He referred the Legal Member to the rent statement lodged with the application and to the copy letter dated 11 March 2020, which he advised had been sent to the Respondent. The Legal Member noted that this letter had also been sent to the Respondent by the Tribunal administration.
5. Mr Skea stated that the Applicants seek a payment order in the sum of £3450. He advised that the Respondent moved into the property in September 2019. He paid the first month's rent. He has not paid any rent since that date and the sum currently owed, for the months of October 2019 to March 2020, is £3450.

Findings in Fact

6. The Applicants are the owners and landlords of the property.
7. The Respondent is the tenant of the property. He has occupied the property since 9 September 2019.
8. The Respondent is due to pay rent at the rate of £575 per calendar month, payable on the 9th of each month. He has failed to pay rent for the months of October, November, December 2019 and January, February and March 2020. The total sum due is £3450.

Reasons for decision

9. In terms of the tenancy agreement for the property, the Respondent is due to pay rent at the rate of £575 per month, payable on the 9th of each month. The Respondent has failed to pay the contractual rent due for the months of October 2019 to March 2020. The sum currently outstanding is £3450.
10. The legal Member is satisfied that the sum of £3450 is due to the Applicants and that an order for payment of this sum should be made in favour of the Applicants.

Decision

11.The Tribunal determines that an order for payment in the sum of £3450 should be made in favour of the Applicants.

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.

Ms Josephine Bonnar

16 March 2020

Josephine Bonnar, Legal Member/Chair