



**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/20/0332**

**Re: Property at 65 Watson Street, Larkhall, South Lanarkshire, ML9 1BT (“the  
Property”)**

**Parties:**

**Mr Lee Drummond, 2 Marshall Place, Luncarty, PH1 2UU (“the Applicant”)**

**Ms Julie Dunsmore, C/O 96 John Street, Larkhall, ML9 2EU (“the Respondent”)**

**Tribunal Members:**

**Alison Kelly (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 in the amount of £2537.13  
should be made.**

**Background**

The Applicant lodged an application with the Tribunal on 31<sup>st</sup> January 2020 under Rule 70 of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017, seeking an order for payment in respect of rent arrears.

Lodged with the Application were:

1. Copy Tenancy Agreement
2. Statement of Rent Arrears

A Case Management Discussion (“CMD”) was scheduled for 23<sup>rd</sup> March 2020. However, this CMD was postponed due to the Covid 19 pandemic.

A fresh CMD was fixed for 9<sup>th</sup> July 2020 at 10am.

### **Case Management Discussion**

The CMD took place by teleconference. The Legal Member instructed the clerk, Mrs Warden, to wait until 10.05 before beginning the CMD, which was to allow the parties time to dial in.

Rachel Thomson of Friends Legal, Solicitors, dialled in on behalf of the Applicant. No one dialled in on behalf of the Respondent. The Legal Member was satisfied that the Respondent had received notification of the date and the dial in details, and began the CMD.

Miss Thomson advised the Tribunal that the Respondent had vacated the property on 14<sup>th</sup> October 2019, having been ejected by Sheriff Officers following on an order from the Tribunal.

Miss Thomson advised that, with reference to the rent statement lodged, the arrears at the end of the tenancy were £3087.13. The Applicant had received return of the deposit of £550 towards the arrears, and the outstanding amount was therefore £2537.13. She sought an order for payment of that amount.

### **Findings In Fact**

1. The parties entered in to a Short Assured Tenancy agreement in relation to the property, dated 30<sup>th</sup> October 2017;
2. The rent was £550 per calendar month;
3. The tenancy ended on 14<sup>th</sup> October 2019;
4. The arrears at the end of the tenancy were £3087.13;
5. The Applicant had received return of the deposit in the amount of £550, which had been applied to the rent account;
6. The sum now outstanding is £2537.13.
- 7.

### **Reasons For Decision**

The Respondent owes the Applicant the sum of £2537.13

### **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.**

Alison Kelly  

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**Legal Member/Chair**

**9 July 2020**  
**Date**