



**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/20/0340**

**Re: Property at T/R, 85 Dens Road, Dundee, DD3 7HW (“the Property”)**

**Parties:**

**Mr Euan Cumming, 10 Woodland View, Southwell, Nottinghamshire, NG25 0AG  
 (“the Applicant”)**

**Mr Gary Bannon, T/R, 85 Dens Road, Dundee, DD3 7HW (“the Respondent”)**

**Tribunal Members:**

**George Clark (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £1,950.**

**Background**

By application, received by the Tribunal on 10 January 2020, the Applicant sought an Order for Payment against the Respondent in respect of unpaid rent for the Property that had become lawfully due by the Respondent to the Applicant. The sum sought was £1,781.64.

The application was accompanied by copies of a Private Residential Tenancy Agreement between the parties, commencing on 27 May 2019 at a rent of £440 per month and a Rent Statement showing arrears as at 7 January 2020 of £1,781.64.

On 11 March 2020, the Tribunal advised the Parties of the date, time and venue for a Case Management Discussion and the Respondent was invited to make written representations by 1 April 2020. The Respondent did not make any written representations to the Tribunal.

The Case Management Discussion scheduled for 16 April 2020 was postponed due to the COVID-19 lockdown restrictions.

### **Case Management Discussion**

A Case Management Discussion was held by means of a telephone conference call on the morning of 17 July 2020. The Applicant was represented in the conference call by Hazel Young of Rockford Properties, Dundee. The Respondent did not participate and was not represented. The Applicant's representative told the Tribunal that no rent payments had been received since the date of the application and asked the Tribunal to grant the Order sought without a Hearing.

### **Reasons for Decision**

Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it all the information and documentation it required and that it could determine the application without a Hearing.

The Tribunal was satisfied that the sum sought in the application was lawfully due by the Respondent to the Applicant.

### **Decision**

The Tribunal determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £1,781.64.

### **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.**

George Clark

17/07/2020

---

**Legal Member/Chair**

---

**Date**