



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/20/0722

Re: Property at 175 Kingsheath Avenue, Glasgow, G73 2BZ (“the Property”)

Parties:

Mr Naveed Muzaffar, 73 Creed Road, Peterborough, Northhamptonshire, PE8 4QX (“the Applicant”)

Miss Sarah Bonner, Mr Mark Bryce, sometime 175 Kingsheath Avenue, Glasgow, G73 2BZ, whose present whereabouts are unknown (“the Respondents”)

Tribunal Members:

George Clark (Legal Member)

Decision (in absence of the Respondents)

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 Respondents to the Applicant of the sum of £2,120.

Background

By application, received by the Tribunal on 27 February 2020, the Applicant sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondents to the Applicant. The sum sought was £2,120.

The application was accompanied by a copy of a Short Assured Tenancy Agreement between the Parties (which replaced an earlier tenancy agreement), for a period of twelve months from 12 April 2019 at a rent of £530 per month and the Applicant also provided a Rent Statement showing arrears as at 19 March 2020 of £2,120.

Case Management Discussion

A Case Management Discussion was held by way of a telephone conference call on the morning of 29 September 2020. The Applicant participated in the Case Management Discussion. Intimation to the Respondents was by way of

advertisement on the Tribunal's website between 25 August 2020 and 29 September 2020. The Respondents did not make any written representations to the Tribunal and were not present or represented at the Case Management Discussion.

The Applicant confirmed that no payment had been received from the Respondents since the date of the application and asked the Tribunal to grant the application and make the Order for Payment 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 it required to enable it to decide the application without a Hearing.

The Tribunal was satisfied that the sum sought was lawfully due by the Respondents to the Applicant.

Decision

The Tribunal determined that the application should be decided without a Hearing and made an Order for Payment by the Respondents to the Applicant of the sum of £2,120

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.

G. C

Legal Member/Chair

29 September 2020

Date