



**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/21/1290**

**Re: Property at Flat 1, 51 High Street, Forres, IV36 1PB (“the Property”)**

**Parties:**

**Mr Stephen Inckle-Sharpe and Mrs Caroline Inckle-Sharpe, both Corriden,  
Tolbooth Street, Forres; Corriden, Tolbooth Street, Forres, IV36 1PB (“the  
Applicants”)**

**Miss Trish Fenton, 2 Sanquhar Mains Cottages, Forres, IV36 2RR (“the  
Respondent”)**

**Tribunal Member:  
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 Applicants  
of the sum of £1,619.08.**

**Background**

By application, received by the Tribunal on 28 May 2021, the Applicants sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent to the Applicants. The sum sought was £1,619.08.

The application was accompanied by a copy of a Short Assured Tenancy Agreement between the Parties, commencing on 1 October 2016, at a rent of £475 per month and a Rent Statement, showing arrears as at 2 February 2021 of £1,619.08. The rent had been up to date until 1 September 2019. The payment due on that date was received on 4 October 2019. Thereafter, the rent was never paid in full for any month. The last rent debited had been on 1 December 2020, although one payment of £425 and two of £400 had been received subsequent to that date.

The Applicants stated that from January 2020, they had received the housing element of the Respondent's Universal Credit payments, but that they did not cover the rent due. The Respondent had vacated the Property on 26 December 2020, leaving arrears of £1,619.08.

ON 22 July 2021, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondent was invited to make written representations by 12 August 2021. The Respondent did not make any written representations to the Tribunal.

### **Case Management Discussion**

A Case Management Discussion was held by means of a telephone conference call on the afternoon of 25 August 2021. The Applicants participated in the call, but the Respondent was neither present nor represented. The Applicants confirmed that no payments had been received since the date of the application.

### **Reasons for Decision**

Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2107 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 to decide the application without a Hearing.

The Tribunal was satisfied that the sum sought had become lawfully due by the Respondent to the Applicants.

### **Decision**

The Tribunal determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicants of the sum of £1,619.08.

### **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.**

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Legal Member/Chair

25 August 2021  
Date