



**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/22/0250**

**Re: Property at Burnside Farmhouse, Skene, Westhill, AB32 6RR (“the  
Property”)**

**Parties:**

**The Dickinson Trust Limited, as Trustees for the Dunnottar Trust, Dunecht  
Estates Office, Dunecht, Westhill, AB32 7AW (“the Applicant”)**

**Mr Paul Clark, Burnside Farmhouse, Skene, Westhill, AB32 6RR (“the  
Respondent”)**

**Tribunal Member:  
George Clark (Legal Member)**

**Decision**

**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 £9,300.**

**Background**

By application dated 10 January 2022, the Applicant sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent. The sum sought was £9,300.

The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties commencing on 8 February 2019 at a rent of £650 per month and a Rent Statement showing arrears as at 6 January 2022 of £9,300.

On 29 March 2022, 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 19 April 2022. The Respondent did not make any written representations to the Tribunal.

**Case Management Discussion**

A Case Management Discussion was held on the morning of 16 May 2022. The Applicant was represented by Ms Kirsty Ward. The Respondent, Mr Clark, was

present. Ms Ward told the Tribunal that the arrears were now £11,280 and that previous agreements regarding payment plan had been unsuccessful. Mr Clark advised the Tribunal of his personal circumstances but did not dispute that the amount sought was due. He hoped that an agreement could be reached on a payment plan to reduce the arrears.

### **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 to decide the application without a Hearing.

The Tribunal was satisfied that the amount sought had become 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 £9,300.

### **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**

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**Legal Member/Chair**

**16 May 2022**  
**Date**