



**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 (Act)**

**Chamber Ref: FTS/HPC/CV/19/0883**

**Re: Property at 2 Courthill Road Cottages, Lunan By Inverkeilor, Arbroath,  
DD11 4UX (“the Property”)**

**Parties:**

**Mr Iain Bainbridge, Maragowan Caravan Club Site, Killin, FK2 8TN (“the  
Applicant”)**

**Miss Emma Russell, 4 Greenbank Crescent, Glenfarg, Perthshire, PH2 9NS  
 (“the Respondent”)**

**Tribunal Members:**

**Alan Strain (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the order for payment in the sum of £2,516.00 be  
granted.**

**Background**

This was an application for payment in respect of rent arrears under section 16 of the  
Act and rule 70 of the Tribunal Procedure Rules (Rules).

The Tribunal had regard to the following documents:

1. Application received 18 march 2019;
2. Short Assured Tenancy (**SAT**) dated 2 October 2017;
3. Statement of Rent Arrears.

**Case Management Discussion (CMD)**

**A Strain**

The case called for a CMD on 22 August 2019. The Applicant did not appear but was represented by his solicitor. The Respondent did not appear and was not represented.

The Tribunal were satisfied that the Respondent had received Notification of the CMD by recorded delivery letter dated 12 July 2019. She was accordingly aware that the Tribunal could determine the matter in her absence if satisfied that it had sufficient information to do so and the procedure was fair.

The Tribunal considered the documentation and was informed by the Applicant's solicitor that the amount sued for was to be reduced to £2,516 which was the arrears as at the date the Respondent vacated the tenancy. The Tribunal granted amendment of the application to that amount.

The Tribunal was satisfied that it had sufficient information to determine the matter and the procedure was fair.

The Tribunal made the following findings in fact:

1. The Parties entered in to an SAT in respect of the Property dated 2 October 2017;
2. The monthly rent was £600;
3. The arrears at the end of the SAT were £2,516.00.

The Tribunal accordingly determined that the Respondent was due to pay the Applicant the sum of £2,516.00 in respect of rent arrears and grants the order for payment as sought.

### 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.

# A Strain

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Legal Member/Chair

22 August 2019  
Date