



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016 (Act)**

**Chamber Ref: FTS/HPC/CV/20/0375**

**Re: Property at 1/3, 48 Parklands Oval, Crookston, G53 7WP (“the Property”)**

**Parties:**

**Mr Georgious Moschovis, Ms Karen Scott, 4/1 Fryar Place, Huntleys Cove, New South Wales, 2111, Australia (“the Applicant”)**

**Mr Kieron McMahon, UNKNOWN, UNKNOWN (“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 be granted in the sum of £807.29.**

**Background**

This is an application under Rule 111 and section 71(1) of the Act in respect of alleged rent arrears during the tenancy of the Property.

The Tribunal had regard to the following documents:

1. Application dated 5 February 2020;
2. Private Residential Tenancy Agreement (**PRTA**) commencing 26 July 2019;
3. Certificate of Service of Tribunal CMD Notification on Respondent by Advertisement dated 26 October 2020;
4. Rent Statement.

## **Case Management Discussion (CMD)**

The case called for a CMD by conference call on 26 October 2020. The Applicant did not participate but was represented. The Respondent did not participate and was not represented.

The Tribunal delayed the start of the CMD to see if the Respondent would participate. The Respondent did not.

The Tribunal were satisfied that the Respondent had received notification of the Case Management Discussion and that the Tribunal could determine the matter if it considered it had sufficient information to do so and the procedure was fair. The notification also advised the Respondent that he should attend and the Tribunal could determine the matter in absence if he did not.

The Applicant's representative informed the Tribunal that the Applicant had received the sum of £391 from the deposit towards the rental arrears. Accordingly, the sum now sought was £807.29.

The Tribunal had regard to the documentation lodged in support of the application.

Having considered the documentation, the Tribunal made the following findings in fact:

1. The Parties let the subjects under a PRTA commencing 26 July 2019;
2. The monthly rent was £625.00;
3. The Respondent was £807.29 in arrears of rent as at the date of the application;
4. No payment towards the arrears of rent had been made.

The Tribunal considered that it had sufficient information to determine the matter at this stage and the procedure was fair.

The Tribunal was satisfied that the arrears had been established and accordingly granted the application for payment in the sum of £807.29.

## **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.**

**Alan Strain**

**26 October 2020**

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**Legal Member/Chair**

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**Date**