

Housing and Property Chamber
First-tier Tribunal for Scotland



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Chamber Ref: FTS/HPC/CV/18/0135

Re: Property at 302 Main Street, Rutherglen, G73 3AE ("the Property")

Parties:

Mrs Stefanie Moore, 67 Holyrood Avenue, Harrow, HA2 8UD ("the Applicant")

Mr Gordon McMillan, 3 Larchfield Drive, Rutherglen, G73 4HA ("the Respondent")

Tribunal Members:

Andrew Upton (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the Respondent should make payment to the Applicant in the sum of ONE THOUSAND EIGHT HUNDRED AND THIRTY SEVEN POUNDS AND SEVENTY ONE PENCE (£1,837.71) STERLING.

STATEMENT OF REASONS

1. This case called before me for a Case Management Discussion on 12 March 2018 at 1.00pm. The Applicant was represented by Mr Reynolds of Smart Move Estate Agents as named representative. The Respondent was neither present nor represented.
2. Mr Reynolds explained that the defender had vacated the property early and without notice. The sum claimed represented a combination of rent arrears built up before abandonment and loss of rent for the period thereafter. He explained that the sum claimed was up to 13 November 2017 because, in compliance with her duty to mitigate her losses, the Applicant had re-let the property with effect from 13 November 2017. Mr Reynolds moved me to grant the order claimed for payment of £1,837.71.

3. There being no appearance by or on behalf of the Respondent to oppose the Applicant's motion, I granted it.

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.

Andrew Upton

Legal Member/Chair

12 MARCH 2018

Date