



**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/19/0038

Re: Property at 172 Westerton Road, Grangemouth, FK3 9EZ (“the Property”)

Parties:

**Mr Richard Laurie, 35 Almondhill Road, Kirkliston, EH29 9BN (“the Applicant”)
per his agents, Jackson Boyd LLP, Centenary House, 69, Wellington Street,
Glasgow G2 6HG (“the Applicant’s Agents”)**

Ms Jill Robert, present whereabouts unknown (“the Respondent”)

Tribunal Members:

Karen Moore (Legal Member)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an Order for payment for TWO THOUSAND AND
FORTY POUNDS (£2,040.00) Sterling be granted.**

1. By application received on 9 January 2019 (“the Application”), the Applicant’s Agents, on behalf of the Applicant, made an application to the Tribunal for a payment of rent due and owing in terms of Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”). A copy of the tenancy agreement between the parties and a rent statement showing arrears of rent of £2,040.00 were lodged as part of the Application.
2. On 23 January 2019, a legal member of the Tribunal with delegated powers of the Chamber President accepted the Application and a Case Management Discussion (“CMD”) was fixed for 6 March 2019 and postponed to 27 June 2019 at 14.00 at the Glasgow Tribunal Centre, 20 York Street, Glasgow, G2 8GT. The postponed CMD was intimated to both parties.

Case Management Discussion

1. The CMD took place on 27 June 2019 at 14.00 at the said Glasgow Tribunal Centre, 20 York Street, Glasgow, G2 8GT by telephone conference. Neither the Applicant nor the Respondent was present.
2. The Applicant was represented by Ms. Sloey of the Applicant's Agents. The Respondent was unrepresented.
3. Ms. Sloey confirmed the Order sought as payment of £2,040.00 in rent due and owing, being the sum sought in the Application.

Findings in Fact

4. From the Application and the CMD and having no reason to disbelieve Ms. Sloey, I found that a tenancy agreement had existed between the Parties at a rent of £510.00 per month and that rent amounting to £2,040.00 is due and owing by the Respondent in that regard.

Decision and Reasons for Decision

5. Having found that rent amounting to £2,040.00 is due and owing by the Respondent to the Applicant, I then had regard to Rule 17(4) of the Rules which state that the Tribunal "may do anything at a case management discussion which it may do at a hearing, including make a decision" and, accordingly, I determined to grant an Order for payment.

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.



Legal Member/Chair

27 June 2019

Date