



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/19/0683

Re: Property at 5 Strandhead, Stewarton, Ayrshire, KA3 3DD (“the Property”)

Parties:

Mr Alan Stephens, 18 Bryce Road, Currie, EH14 5LW (“the Applicant”)

Mr Ian Stephens, 5 Strandhead, Stewarton, Ayrshire, KA3 3DD (“the Respondent”)

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment of the sum of £26,550 should be made.

On 4th March 2019 the Applicant’s solicitor lodged an application under Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”) seeking payment of rent arrears from the Respondent.

Lodged with the Application were:

1. Tenancy Agreement dated 1/7/14
2. Rent Statement

Case Management Discussion (“CMD”)

The Applicant was represented by Kirsty Morrison of TC Young, Solicitors. The Respondent did not appear and was not represented.

Miss Morrison was asked to present the case. She said that she sought an order for payment in the amount of £26550. The parties had entered in to a Tenancy Agreement for the property on 1/7/14. The rent was £450 per calendar month. At the time the AT6 was served the arrears stood at £23850. At the time the application was lodged the arrears were £25650. At today's date the arrears were £26500. An application to amend the sum sought had been timeously lodged and sent on the Respondent.

Findings In Fact

1. The parties entered in to a tenancy Agreement for the property on 1/7/14.
2. The rent was £450 per calendar month.
3. Amendment of the sum sought had been properly intimated.
4. At today's date the arrears were £26500.

Reasons For decision

The rent is in arrears to the extent of £26,550.

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.

Alison Kelly

Legal Member/Chair

J

1/5/19

Date