

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) under Section 16 of the Housing (Scotland) Act 2014

Chamber Ref: FTS/HPC/CV/19/0964

Re: Property at 233 Talla Road, Hillington, Glasgow, G52 2AX (“the Property”)

Parties:

Mr Stuart Williams, 1 Hillend Road, Clarkston, Glasgow, G76 7TH (“the Applicant”)

Mr Kevin Logan, 233 Talla Road, Hillington, Glasgow, G52 2AX (“the Respondent”)

Tribunal Members:

George Clark (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be granted without a hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £3,575.

Background

By application, received by the Tribunal on 27 March 2019, the Applicant sought an Order for Payment in respect of unpaid rent for the Property that had become lawfully due by the Respondent to the Applicant, the sum sought being £2,825.

The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties commencing on 8 June 2018 and a Rent Statement showing arrears of £2,825 as at 8 March 2019.

By letter dated 24 April 2019, the Tribunal advised the Parties of the date, time and venue for a Case Management Discussion and the Respondent was invited to make written representations no later than 13 May 2019.

The Respondent made no written representations to the Tribunal.

On 15 May 2019, the Applicant’s agents intimated their wish to increase the amount sought to £3,575, in terms of Rule 14A of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, as amended by the First-tier

Tribunal for Scotland Housing and Property Chamber (Procedure) Amendment Regulations 2018, and confirmed having intimated this request to the Respondent.

Case Management Discussion

A Case Management Discussion was held at Glasgow Tribunals Centre, 20 York Street, Glasgow, on the morning of 31 May 2019. The Applicant was represented by Miss Nicola Caldwell of TC Young, solicitors, Glasgow. The Respondent was not present or represented. Miss Caldwell asked the Tribunal to grant the application without a hearing and provided to the Tribunal an updated Rent Statement showing arrears of £3,575 as at 30 May 2019.

Reasons for Decision

Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 states that the Tribunal may do anything at a case management discussion which it may do at a hearing, including making a decision. The Tribunal was satisfied that it had before it all the information and documentation it required and that it would decide the application without a hearing.

The Tribunal was satisfied that the amount sought in the application, as amended in terms of Rule 14A of the 2017 Regulations (as amended) was lawfully due by the Respondent to the Applicant.

Decision

The Tribunal determined that the application should be granted without a hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £3,575.

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

31 May 2019

Date