



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 and Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)

Chamber Ref: FTS/HPC/CV/21/1336

Re: Property at Seton Cottage, Springholm, DG7 3LP (“the Property”)

Parties:

Mrs Elizabeth Mackenzie, 7 Reoch Park, Springholm, DG7 3LJ (“the Applicant”)

Mrs Claudia Thomson, unknown, unknown (“the Respondent”)

Tribunal Members:

Martin McAllister (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that a payment order be made requiring the Respondent to pay the sum of SEVEN HUNDRED AND FIFTY POUNDS (£750) to the Applicant.

Background

- 1. This is an application in respect of rent arrears.**
- 2. Service of the Application could not be effected on the Respondent by Sheriff Officers and was done by advertisement on the Tribunal website from 8th September 2021. The Tribunal had before it the certificate of advertisement dated 12th October 2021.**

Case Management Discussion

3. A case management discussion was held by audio conference on 12th October 2021. Mrs Sandra Thom, representative of the Applicant participated and there was no appearance by the Respondent.
4. The purpose of a case management discussion was explained. Mrs Thom indicated that the Respondent was due to pay additional sums to the Applicant and she said that she is currently in discussions with the tenancy deposit company regarding this. Mrs Thom agreed that the sum she was seeking in respect of this application was £750 which was the sum in the application.
5. Mrs Thom indicated that she saw no need for a hearing on the matter.

Findings in Fact

6. (a) Parties entered into a private residential tenancy for the Property on 8th April 2021.
(b) The rent payable was £500 per month.
(c) The tenancy terminated on 29th June 2021.
(d) At the date of termination of the tenancy there were rent arrears of £750.

Reasons

7. Mrs Thom referred to the private residential tenancy, the bank statements which had been lodged and the rent statement.
8. The Tribunal accepted that there had been a private residential tenancy for the Property which obliged the Respondent to pay the sum of £500 per month in respect of rent.
9. The Tribunal accepted that the rent statement showed there to be arrears of rent amounting to £750.
10. The Tribunal saw no reason to have a hearing and considered it appropriate to have it determined at this case management discussion in terms of Rule 17(4) of the Rules.

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.

**Martin J. McAllister
Legal Member
12th October 2021**

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