



**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 (“the Act”)**

**Chamber Ref: FTS/HPC/CV/19/1496**

**Re: Property at Flat 3, 29 Glenfarg Street, Georges Cross, Glasgow, G20 7QE (“the Property”)**

**Parties:**

**Places for People Homes Limited, c/o Touchstone, 2 Crescent Office Park, Clarks Way, Bath, BA2 2AF (“the Applicant”)**

**Mr Paskali Kabuche, Flat 3, 29 Glenfarg Street, Georges Cross, Glasgow, G20 7QE (“the Respondent”)**

**Tribunal Members:**

**Steven Quither (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that**

**The Respondent is to Pay to the Applicant the sum of THREE THOUSAND THREE HUNDRED AND EIGHTY POUNDS (£3380) STERLING**

### **1. BACKGROUND**

The application was made under Rule 70 of the Tribunal’s Regulations of 2017 for an order for payment arising out of obligations under a Tenancy Agreement dated 24 March 2000, whereby the parties agreed that as from that date the Property would be let to the Respondent for £450 per calendar month, payable monthly in advance on the 24<sup>th</sup> of each months, initially for a period of 6 months..

By application of 16 May 2019, the Applicant sought payment of rent arrears in the sum of £2250 and lodged appropriate application form to do so, along with supporting documentation in the form of Tenancy Agreement and Rent Statement. Prior to the CMD the Applicant lodged a further rent statement showing a balance due as at 1 July 2019 of £3380.

**SQ**

I also had before me Sheriff Officers' Certificate of Service in respect of today's proceedings and was satisfied that all necessary procedural steps had been carried out and were in order to give the Respondent notice of same.

## **2. CASE MANAGEMENT DISCUSSION**

This took place before me on 6 August, when the Applicant was represented by their Agent, Miss Caldwell.

Upon making an application to do so under Regulation 13, I allowed the sum sought to be amended to reflect the up to date rent statement.

I clarified that there had been no information received as to any change of circumstances on the part of the Respondent, neither had any representations been made about rent due. The Respondent did not attend and was not represented and accordingly I was satisfied, based upon the information provided, that I could make the order sought

## **3. FINDINGS IN FACT**

Based on the documentation produced and representations made in support of it, I found that the parties entered into a Tenancy Agreement whereby the Respondent rented the Property from the Applicant for an initial period of 6 months, commencing 24 March 2000 and for a rent of £450 per calendar month, payable in advance and that the Respondent had now accrued rent arrears in respect of said tenancy in the sum of £3380.

## **4. REASONS FOR DECISION**

The arrears sought in the amended amount appearing to me to be properly due by the Respondent, I was prepared to grant the order sought.

## **5. DECISION**

To grant the order for payment sought by the Applicant in the sum of £3380.

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## **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.

**Steven Quither**

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Legal Member/Chair

6 AUGUST 2019.

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Date