



**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 (Act)**

Chamber Ref: FTS/HPC/CV/18/1619

Re: Property at Cortachy Mains, Cortachy, DD8 4LX (“the Property”)

Parties:

**Airlie Estates Heritage Trust, Airlie Estates Office, Cortachy By Kiriemuir,
Angus, DD8 4LY (“the Applicant”)**

Ms Mhairi Peattie, 4 Gibliston Cottages, Fife, KY9 1JS (“the Respondent”)

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence of the Parties)

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

Background

This is an application for payment in respect of alleged rent arrears under section 16 of the Act and Rule 70.

The Tribunal had regard to the following documents:

1. Application received 24 July 2018;
2. Short Assured Tenancy dated 29 June 2015;
3. AT5 dated 26 June 2018;
4. Statements.

Case Management Discussion (CMD)

The case had called for a CMD on 28 September 2018 at which time a payment schedule had been agreed between the Parties. The case was continued to allow payment to take place.

Mr Alan Strain

At the Applicant's agents request on 21 January 2019 a fresh CMD was fixed for today's date due to alleged failure by the Respondent to make payments as agreed.

When the case called there was no appearance by either Party. The Tribunal was satisfied that notification had been made to both Parties. In light of the fact that no-one appeared the Tribunal determined that the matter should be disposed of. The Tribunal accordingly refused the Order sought.

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.

Mr Alan Strain

Legal Member/Chair

11 March 2019

Date