



**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/18/2460

Re: Property at 18 Mayfield Gardens, Kelso, TD5 7BD (“the Property”)

Parties:

Ms Morag Hume , 25 Tweedside Park, Kelso, TD5 7RF (“the Applicant”)

Ms Aileen Creechan, 24 Woodmarket, Kelso, TD5 7AX (“the Respondent”)

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the order for payment in the sum of ONE THOUSAND ONE HUNDRED AND SEVENTY FIVE POUNDS (£1,175) by the Respondent to the Applicant be granted.

Background

This is an Application for payment in respect of rental arrears in terms of section 16 of the Act and Rule 70 of the Procedure Rules.

The Tribunal had reference to the following documents lodged with the Application on 11 September 2018:

- (i) Tenancy Agreement;
- (ii) Statement of Rent Arrears as at 11 September 2018.

A Case Management Discussion (**CMD**) was fixed for 18 December 2018. Both parties were notified by the Tribunal of the CMD by letter dated 23 November 2018. The notification advised the parties that the Tribunal could determine the matter in absence at the CMD if it was satisfied that it had sufficient information and it was fair to do so.

Service of the letter of 23 November 2018 from the Tribunal was made by Sheriff Officers on the Applicant on 26 November 2018.

CMD

The Applicant was represented by Ms L. Renton. The Respondent did not appear. Ms Renton explained that that £1,175 was outstanding at the date of lodging the Application and she sought an Order for payment in that amount.

The Tribunal considered the information before it and the overriding objective. It was satisfied that it had sufficient information to grant an order for payment in the sum of £1,175. It also considered that it was fair and appropriate to grant the Order at this stage.

The Tribunal granted the Order.

Outcome

1. Order for payment in the sum of £1,175 by the Respondent to the Applicant granted.

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.

Alan Strain

Legal Member/Chair

18 October 2018

Date