



**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/22/0553**

**Re: Property at 587 Lanark Road, 1F1, Edinburgh, EH14 5DA (“the Property”)**

**Parties:**

**Scottish Midland Co-operative Society Limited, Hillwood House, 2 Harvest Drive, Newbridge, EH28 8QJ (“the Applicant”)**

**Mr Gavin O'Reilly, 587 Lanark Road, 1F1, Edinburgh, EH14 5DA (“the Respondent”)**

**Tribunal Member:**

**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 be granted in the sum of £595 with interest at the rate of 4%.**

**Background**

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

The Tribunal had regard to the following documents:

1. Application received 23 February 2022;
2. Tenancy Agreement dated 24 July 2017;
3. Rent Statement;
4. Certificate of Service of CMD Notification by Sheriff Officers dated 28 April 2022.

**Case Management Discussion (CMD)**

The case called for a CMD by conference call on 9 June 2022. The Applicant was represented by its solicitor. The Respondent did not participate and was not represented.

The Tribunal was satisfied that the Respondent was aware of the CMD as he had received notification by Sheriff Officer. The Tribunal considered that it was fair to proceed and to determine the matter if it had sufficient information upon which to do so.

The Tribunal then considered the documentary evidence it had received from the Applicants and in so far as material made the following findings in fact:

1. The Parties let the subjects under Tenancy Agreement dated 24 July 2017;
2. The monthly rent was £595;
3. As at the date of the CMD the rent was in arrears in the sum of £595.

The Tribunal was satisfied that the rent arrears had been established and accordingly granted the application for an order for payment in the sum of £595.

### **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.**

**A. S**

**9 June 2022**

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**Legal Member/Chair**

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**Date**