



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

Chamber Ref: FTS/HPC/CV/19/3984

Re: Property at 161A Riverside Road, Kirkfieldbank, ML11 9JR (“the Property”)

Parties:

The Sutherland Trust, 16 Greenlady Walk, Lanark, ML11 7EP (“the Applicant”)

Miss Lorna Madden, 161A Riverside Road, Kirkfieldbank, ML11 9JR (“the Respondent”)

Tribunal Members:

Mark Thorley (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment by the respondent to the Applicant of the sum of £1600 be made

1. The applicant applied to the First-tier Tribunal under Rule 111 for an order for payment of rent arrears by the respondent. Accompanying the application was a copy of the Rent Statement together with Tenancy Agreement.
2. Subsequently further paperwork was received with a mandate authorising Country Let Ltd to act on behalf of the applicant.
3. The application was served by Sheriff Officers on the respondent.
4. No written representations were received from the respondent.

Case Management Discussion

1. At the case management discussion Ms Drummond appeared on behalf of the applicant. There was no appearance by or for the respondent.

Findings in Fact

1. That a Tenancy Agreement was created between the parties for the property at 161A Riverside Road, Kirkfield Bank, Lanark ML11 9JR.
2. In terms of the Tenancy Agreement the private residential tenancy commenced on 14 June 2019 with a rental of £400 per month payable monthly and in advance.
3. At the date of the application the sum of £800 was due by the tenancy.
4. That sum was revised to the sum of £1600 which revision had been intimated to the respondent.
5. The sum of £1600 rent was due

Reasons for decision

1. The paperwork was in order. The applicant's representative spoke confirming the outstanding amount of rent that was due. The applicant had sought to increase the sum sued and intimation of that had been given to the respondent and accordingly the sum required to be increased to the sum of £1600.
2. Significant efforts had been made to attempt to engage with the applicant.

Decision

An order for payment by the respondent to the applicant of the sum of £1600.

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.

Mark Thorley

Legal Member/Chair

04 February 2020

Date