

Housing and Property Chamber
First-tier Tribunal for Scotland



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/21/2676

Property: 0/1, 26 Drumover Drive, Tollcross, Glasgow G31 5RP (“the Property”)

Parties: Mr Alistair Laurie, 37 Cadzow Street, Hamilton ML3 6EE (“the Applicant”)

Mr Gareth Goodlad, unknown, unknown, (“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 in the sum of THREE THOUSAND NINE HUNDRED AND NINETY SEVEN POUNDS NINETY FOUR PENCE (£3,997.94) be made.

Background

1. The applicant applied to the tribunal by way of application dated 29 October 2021. Accompanying the application was a copy of the Tenancy Agreement, Rent Statement and email correspondence with the respondent regarding rent arrears.
2. The application was acknowledged by the tribunal on 1 November 2021. Further information was sought on 17 November 2021. The application was accepted on 8 March 2022.
3. A case management hearing was assigned for 17 May 2022 but the respondent did not reside at the address as indicated. As a result the case management discussion was adjourned until 5 July 2022.
4. Thereafter service by way of advertisement took place. The respondent subsequently made contact with the tribunal and was emailed a set of papers.

Case Management Discussion

5. At the case management discussion Ms Laurie appeared on behalf of the applicant. There was no attendance by or for the respondent. The respondent had not lodged any written answers.

Findings in fact

6. The parties entered into a Private Residential Tenancy Agreement for the property at 0/1, 26 Drumover Drive, Tollcross, Glasgow G31 5RP on 24 April 2021.
7. In terms of the Agreement the tenancy commenced on 8 February 2021. Rent was due to be paid at the rate of £525 per calendar month payable in advance.
8. The tenancy came to an end on 8 June 2021.
9. Rent was outstanding in the sum of £3,997.94 as at 8 June 2021.

Reasons for decision

10. The applicant had lodged a significant amount of documentation setting out the case including many emails with the respondent. There was a rent sheet setting out the rental that was not paid. The respondent had been given an opportunity to confirm whether rent was outstanding but had not taken the opportunity to do so. No written representation has been made.
11. The applicant's representative confirmed that the rent remained outstanding.
12. Taking into account the documentation that had been lodged and the oral submissions provided by the applicant's representative the tribunal accepted that evidence and made the order.

Decision

13. To make an order for payment by the respondent to the applicant of the sum of THREE THOUSAND NINE HUNDRED AND NINETY SEVEN POUNDS NINETY FOUR PENCE (£3,997.94).

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.



Legal Member/Chair:

Date: 5 July 2022