



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

Chamber Ref: FTS/HPC/CV/22/2419

Re: Property at 18 Forsyth Street, Greenock, PA16 8DT (“the Property”)

Parties:

Mr Alistair Mckinnon, 2 Cloch Brae, Gourock, PA19 1AS (“the Applicant”)

Mr Chris Leck, 18 Forsyth Street, Greenock, PA16 8DT (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member) and Mike Scott (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent to the Applicant in terms of his assured tenancy of the Property. It called for a hearing at 10am on 17 March 2023, by teleconference. The Applicant was on the call in-person and was represented by Mr Caldwell of Patten & Prentice, solicitors. The Respondent was represented by Ms Fidelo of Legal Services Agency Ltd, solicitors, who indicated ahead of the hearing that he would not defend the application and that neither she nor the Respondent would be on the call.

- Reasons for Decision

The matter is no longer defended. The following points set out in the application formed the basis of the Tribunal's decision:

1. The Respondent lets the Property from the Applicant in terms of an assured tenancy.
2. In terms of that tenancy agreement, rent of £500 is due each month.
3. As of the date of the hearing, the Respondent is in arrears of rent of at least £42,012, which is the sum sought.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of FORTY-TWO THOUSAND AND TWELVE POUNDS (£42,012) STERLING.

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.

17 March 2023

Legal Member/Chair

Date