

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 (Act)

Chamber Ref: FTS/HPC/CV/22/0333

Re: Property at 16 Hyslop Road, Stevenston, KA20 4HP (“the Property”)

Parties:

Felt Properties Ltd, 27 Old Gloucester Street, London, WC1N 3AX (“the Applicant”)

Miss Kelly Wilson, 16 Hyslop Road, Stevenston, KA20 4HP (“the Respondent”)

Tribunal Member:

Alan Strain (Legal Member)

Decision (in absence of the Parties)

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

Background

This is an application under Rule 111 of ***The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (Rules)*** and section 71(1) of the Act in respect of a claim for payment of alleged rent arrears and additional costs of £4344.17.

The Tribunal had regard to the following documents:

1. Application received 4 February 2022;
2. Private Residential Tenancy Agreement (**PRTA**) dated 1 June 2018;
3. Rent Arrears Statement as at date of CMD;
4. Certificate of Service from Sheriff Officers dated 27 April 2022.

Case Management Discussion (CMD)

The case called for a CMD by conference call on 9 June 2022. Neither party participated.

The Tribunal was satisfied that the Parties were aware of the CMD as they 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.

In light of no appearance by either party the tribunal considered it appropriate to refuse the application.

Decision and Reasons

The tribunal was satisfied that in the circumstances the application ought to be refused.

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

9th June 2022

Legal Member/Chair

Date