



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/21/3004

Re: Property at 37 Gartmore Road, Airdrie, ML6 9BH (“the Property”)

Parties:

Mrs Christine McFadyen, Mr Stephen McFadyen, 2 Sandhead Terrace, West Craigs, Blantyre, G72 0JH (“the Applicants”)

Mr Godfrey Aigbokhabho, Miss Joanne Lo, 37 Gartmore Road, Airdrie, ML6 9BH (“the Respondents”)

Tribunal Members:

Alison Kelly (Legal Member) and Angus Lamont (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment in the amount of £970.48 should be made.

Background

On 1st December 2021 the Applicants lodged an application with the Tribunal in terms of Rule 70 of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”), seeking an order for payment of rent arrears.

Lodged with the Application were:

1. Copy Tenancy Agreement
2. Copy Rent Statement

Case Management Discussion

A Case Management Discussion (“CMD”) took place by teleconference on 14th March 2022. It took place simultaneously with a CMD in relation to Case Number FTS/HPC/EV/21/3003, which was an application seeking to evict the Respondents.

The Applicants were represented by Miss Sadiq of TCH Law, Solicitors. The First Respondent represented himself and the Second Respondent.

Reference is made to the Case Management Discussion Note for that CMD. The case was continued to a Hearing along with the eviction case.

Hearing

A Hearing took place by teleconference on 25th April 2022.

The Applicants were represented by Miss Sadiq of TCH Law, Solicitors. The First Respondent represented himself and the Second Respondent.

It was agreed by both parties that the outstanding arrears totalled £970.48. The Applicants’ solicitor moved that an order be granted for payment be made.

Findings In Fact

1. The parties entered in to a Short Assured Tenancy Agreement commencing on 20th February 2014;
2. The monthly rent was £550;
3. At today’s date the rent arrears stood at £970.48.

Reasons For Decision

The Respondents owe the Applicants £970.48.

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.

Alison Kelly

Legal Member/Chair

25/04/2022

Date