



**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/22/0425

**Property:** 1 Branklyn Place, Glasgow G13 1GH (“the Property”)

**Parties:** Mr James Staniforth, Ballymenoch House, Brooks Road, Cardross G82 5HD (“the Applicant”)

and

Ms Natasha Copeland, Mr Ross Graham, 1 Branklyn Place, Glasgow G13 1GH (“the Respondent”)

**Tribunal Members:**

Mr Mark Thorley (Legal Member)  
Mrs Jane Heppenstall (Ordinary 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 TWELVE THOUSAND THREE HUNDRED POUNDS (£12,300) be made.

**Background**

1. The applicant applied to the First-tier Tribunal by way of application dated 14 February 2022. Accompanying the application was a copy of the Tenancy Agreement, bank statements, rent statement and correspondence with the respondent.
2. The application was acknowledged on 15 February 2022. Further information was sought by letter dated 2 March 2022. Further information was produced and on 18 March 2022 the tribunal accepted the application. A case management discussion was assigned for 25 May 2022.
3. The respondent received intimation of the proceedings on 8 April 2022 by way of depositing at the address.

4. No written representations were made.

### **Case Management Discussion**

5. At the case management discussion the applicant attended along with his wife. There was no appearance by or for the respondent.
6. The applicant confirmed that no further payment of rent had been received and the amount of rent due actually had increased. It was acknowledged that there had been no application made to increase the sum sought.
7. The respondent had earlier provided an indication that there would be some form of repayment but there was now a lack of engagement by the respondent. The respondent was still within the property.

### **Findings in fact**

8. The parties entered into a Private Residential Tenancy Agreement for the property at 1 Branklyn Place, Glasgow G13 1GH with a commencement date of 1 September 2020 with a monthly rent in the sum of £2,050.
9. The Private Residential Tenancy Agreement was signed by both parties on 1 September 2020.
10. The respondent was due outstanding rent in the sum of £12,300 as at the date of the application.

### **Reasons for decision**

11. The applicant had provided documentary evidence in support of the outstanding rent. The tribunal accepted the documentation provided.
12. The respondent had been given an opportunity to respond but had not provided any written representations and had not attended at the case management discussion.
13. The applicant spoke to the outstanding rent and indeed the increase in rent since the date of the application.
14. The tribunal accepted the evidence of the applicant both in written and verbal form.

### **Decision**

15. An order for payment by the respondent to the applicant of the sum of TWELVE THOUSAND THREE HUNDRED POUNDS (£12,300).

**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.**

**M. T****Legal Member/Chair:****Date: 25 May 2022**