



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies)(Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/23/0304

Re: Property at 102 Strathmartine Road, Flat 1/L, Dundee, DD3 7SF (“the Property”)

Parties:

Mr Alexander Ingles, c/o Tay Letting, 8 Eagle Street, Glasgow G4 9XA (“the Applicant”)

**Miss Louise Williamson, 102 Strathmartine Road, Flat 1/L, Dundee, DD3 7SF;
Matthew David Seymour, Balrownie Smiddy Bungalow, Menmuir, By Brechin, DD9 7RG (“the Respondents”)**

Tribunal Members:

John McHugh (Legal Member) and Mary Lyden (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 of the sum of £1237.31 should be made jointly and severally against the Respondents.

Background

The Applicant is the Landlord and the First Respondent the tenant under a private residential tenancy agreement in respect of the Property dated 15 May 2019. The Second Respondent is the guarantor of the First Respondent’s obligations under the tenancy agreement. The Applicant seeks an order for payment of the sum of £1537.31 in respect of unpaid rent and landlord’s related costs.

The Case Management Discussion

A Case Management Discussion took place by teleconference on 12 May 2023. The Respondents did not attend. The Tribunal was satisfied that notice of the hearing had been given to the Respondents. The Applicant was represented by David Gibb, his letting agent. After discussion, Mr Gibb withdrew his application in respect of

legal costs and confirmed that his claim would be confined to £1237.31 being unpaid rent.

Findings in Fact

The Applicant is the Landlord and the Respondent the tenant under a private residential tenancy agreement in respect of the Property dated 15 May 2019.

The Second Respondent is the guarantor of the First Respondent's obligations under the tenancy agreement.

The Respondent has accumulated overdue rent amounting to the sum of £1237.31.

Reasons for Decision

The Applicant has presented credible evidence in the form of a rent schedule of the Respondent's unpaid rent in the sum of £1237.31. No contrary evidence has been presented. In the circumstances, it would be reasonable to make the order sought.

Decision

An order for payment of the sum of £1237.31 will be made in favour of the Applicant against the Respondents on a joint and several basis.

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.

12/05/2023

Legal Member/Chair

Date