



**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/23/0757**

**Re: Property at Flat J, 3 Victoria Road, Dundee, DD1 1EL (“the Property”)**

**Parties:**

**Ms Bhareti Patel, 31 York Road, Middlesex, Northwood, HA6 1JJ (“the Applicant”)**

**Mr Craig Buchan, Flat J, 3 Victoria Road, Dundee, DD1 1EL (“the Respondent”)**

**Tribunal Members:**

**Alison Kelly (Legal Member) and Frances Wood (Ordinary Member)**

**Decision (in the absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment in the amount of £1895.02 should be made.**

**Background**

1. The Applicant lodged an application on 8<sup>th</sup> March 2023 under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.
2. Lodged with the Application were:
  - a. Copy Private Residential Tenancy commencing 15<sup>th</sup> March 2019, with a monthly rent of £420.
  - b. Rent Statement
  - c. Emails between the Respondent and the Letting Agent
3. The Application was served on the Respondent by Sheriff Officer on 15<sup>th</sup> June 2023.

4. On 17<sup>th</sup> July 2023 The Applicant lodged an application to amend the sum sought to £3995.02. In terms of Rule 14A of the Tribunal's Rules such an application must be made at least 14 days before the Case Management Discussion and must be intimated to the Respondent by the Applicant.

### **Case Management Discussion**

5. The Case Management Discussion ("CMD") took place by teleconference. The Applicant was represented by Miss Young of Rockford Properties. The Respondent did not attend and was not represented.
6. The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.
7. Miss Young asked that an order be granted for payment, in the amount of £1895.02, being the sum due as shown on the rent statement lodged with the application. She appreciated that her request to amend had not been made in sufficient time and she said she would lodge a subsequent application to cover arrears from 1<sup>st</sup> March 2023 to the end of the tenancy.

### **Findings in Fact**

1. The parties entered in to a tenancy agreement for rent of the property;
2. The monthly rent was £425;
3. On 1<sup>st</sup> March 2023 the rent arrears owed were £1895.02.

### **Reasons for Decision**

8. The Respondent owes rent to the Applicant as at 1<sup>st</sup> March 2023 in the amount of £1895.02.

### **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**

**21/07/2023**

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**Legal Member/Chair**

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**Date**