

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

Chamber Ref: FTS/HPC/CV/23/0815

Re: Property at 27C Culloden Road, Arbroath, DD11 1LH ("the Property")

Parties:

SKR Properties Ltd, 5 Capelrig Lane, Newton Mearns, Glasgow, East Renfrewshire, G77 6XZ ("the Applicant")

Mr Kristopher Buick, 36B Ogilvy Place, Arbroath, DD11 4DF ("the Respondent")

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") made a Payment Order in the sum of £2,464.62 against the Respondent with interest running on that sum at the rate of 8 per cent per annum from today's date until payment.

Background

The Applicant seeks a Payment Order for rent arrears said to have been accrued by the Respondent under a tenancy between the parties. The Application is accompanied by a copy of the tenancy agreement and a rent statement.

The Case Management Discussion

The Application called for a Case Management Discussion CMD by conference call at 2pm on 10 July 2023. The Applicant was represented by Mr David McKay. There was no appearance by or on behalf of the Respondent. The Application and information about how to join the CMD had been served on the Respondent by Sheriff Officers, accordingly the Tribunal decided to proceed in the Respondent's absence.

Having heard from Mr McKay and having considered the documentation before it, the Tribunal made the following findings in fact.

Findings in Fact

- I. The parties entered into a tenancy agreement whereby the Applicant let the Property to the Respondent on a Private Residential Tenancy;*
- II. The Respondent fell into rent arrears;*
- III. The sum claimed of £2,464.62 remains lawfully due as rent arrears by the Respondent to the Applicant but remains unpaid.*

Reasons for Decision

Having made the above findings in fact, the Tribunal decided to grant the Application and made a Payment Order against the Respondent in the sum of £2,464.62 with interest running on that sum at the rate of 8 per cent per annum from today's date until payment.

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.

Andrew McLaughlin

Legal Member/Chair

10 July 2023

Date