



**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/22/3866**

**Re: Property at 4 Harley Place, Saltcoats, KA21 5TE (“the Property”)**

**Parties:**

**Mr Andrew Wylie, Anne Flannigan Donohoe-Wylie, 5 Bridgepark, Ardrossan, KA22 8BQ (“the Applicant”)**

**Miss Laura Lynn, Mr Scott Taylor, 4 Harley Place, Saltcoats, KA21 5TE; 4 Harley Place, Saltcoats, KA21 5TE (“the Respondent”)**

**Tribunal Members:**

**Mark Thorley (Legal Member) and Gordon Laurie (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order of payment be made in the sum of £2665.79 ( Two Thousand Six Hundred and Sixty Five Pounds and Seventy Nine Pence)**

**Background**

1. The applicant applied to The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”) by application dated 20 October 2022. Accompanying the application were the following documents:
  - a. Tenancy Agreement
  - b. Rent Statement
2. The application was accepted by the tribunal on 16 November 2022 and intimation of the application was made to the respondents by sheriff officer on 21 December 2022.
3. No written representations were made.

**Case Management Discussion**



1. At the case management discussion Ms Young, solicitor attended on behalf of the applicants. Both respondents attended.
2. The respondents acknowledged that rent was due. A revised figure of £3,215.79 had been intimated. The respondents indicated that the sum of £550 had been paid to that. That was acknowledged by the applicants' solicitor. Accordingly it was accepted that the sum of £2,665.79 was due.

### **Findings in Fact**

1. The parties initially entered into a Tenancy Agreement dated 21 June 2011 for the property at 4 Harley Place, Saltcoats KA21 5TE.
2. An updated Tenancy Agreement was signed on 28 July 2016 for the property in which rent was due to be paid monthly and in advance in the sum of £550.
3. As at 16 February 2023 the sum of rent outstanding was £2,665.79.

### **Reasons for decision**

1. The respondents did not dispute that they were in arrears. They indicated that a payment had been made on 15 February of £550 thereby reducing the arrears. The arrears at 15 February were £3,215.79. With the payment of £550 that reduced arrears to the sum of £2,665.79.
2. The applicants through their solicitor agreed with that figure.
3. On the basis that the figure was agreed the tribunal made the order for payment.

### **Decision**

To make an order for payment by the respondent to the applicants of the sum of £2,665.79.

Housing and Property Chamber  
First-tier Tribunal for Scotland

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**A landlord, tenant or third party applicant 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.**

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

Mark Thorley

Signed: .....

Chairperson

Date: ...16/02/2023.....