



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/23/1720

Property : 1 /2, 107 Denmilne Street, Glasgow G34 OAQ (“Property”)

Parties:

Praxis Global Ltd t/a Asecco Property Management, 15 St Francis Rigg, Glasgow G5 OUR (“Applicant”)

Dial A Home, 312 Duke Street, Glasgow G31 1QZ (“Applicant’s Representative”)

Daryn Bates and Heather Johnstone, 1 /2, 107 Denmilne Street, Glasgow G34 OAQ (“Respondent”)

Tribunal Members:

Joan Devine (Legal Member)

Angus Lamont (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £6,490 .

Background

The Applicant sought an order for payment of £6490 in respect of arrears of rent. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement dated 25 May and 3 June 2022; a schedule of rent arrears and certificate of service by Sheriff Officer evidencing service of the Application on the Respondent on 2 August 2023.

Case Management Discussion (“CMD”)

A CMD took place on 28 August 2023 by conference call. In attendance at the CMD for the Applicant was Sarah Louise of the Applicant’s Representative. There was no appearance by the Respondent. Ms Louise told the Tribunal that the rent had not been paid since August 2022. She said she had met with the Respondent and put payment plans in place but the Respondent did not pay the agreed amounts. Ms Louise said she thought that Mr Bates may have other debts as he had referred to signing a trust deed.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a tenancy agreement dated 25 May and 3 June 2022 which commenced on 3 June 2022.
2. In terms of the tenancy agreement the rent was £649 per month.
3. The Respondent failed to pay the rent for the period 28 August 2022 to 28 May 2023. The unpaid amount was £6,490.
4. The Application was served on the Respondent on 2 August 2023.

Reasons for the Decision

The Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £649 per month. The Respondent had failed to pay the rent for the period 28 August 2022 to 28 May 2023.

Decision

The Tribunal grants an order for payment of £6,490.

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.

Legal Member:

Date: 28 August 2023