



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/20/0041

Re: Property at 17 Thurston Road, Glasgow, G52 2JH (“the Property”)

Parties:

Savu Properties LTD, 276 Glasgow Road, Eaglesham, G76 0EW (“the Applicant”)

Miss Danielle Park, 17 Thurston Road, Glasgow, G52 2JH (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent is liable to make payment to the Applicant in the sum of SEVEN THOUSAND SIX HUNDRED AND THIRTY POUNDS (£7,630.00) STERLING

FINDINGS IN FACT

1. The Applicant is the landlord, and the Respondent the tenant, of the Property.
2. The rent was £595 per month.
3. The Respondent is in rent arrears in the total sum of £7,630.

FINDINGS IN FACT AND LAW

1. The Respondent is under contractual obligation to make payment to the Applicant in the sum of £7,630.

STATEMENT OF REASONS

1. This Application called for its Case Management Discussion by teleconference call on 16 October 2020. The Applicant was represented by Mr Savliya. The Respondent was neither present nor represented on the call.
2. The Applicant seeks payment from the Respondent of rent arrears accrued by her under a Private Residential Tenancy Agreement. This Application originally called for a Case Management Discussion on 3 September 2020 at which time the Applicant moved the Tribunal to amend the Application by increasing the sum claimed for to the sum of £7,630, being the sum then outstanding. The Respondent was not present or represented at that Case Management Discussion either. The Applicant's motion was granted, and the Case Management Discussion adjourned for the amended application to be intimated on the Respondent.
3. The Respondent has been given an opportunity to oppose this Application and dispute the Applicant's assertion that she is under contractual obligation to make payment to it of £7,630. She has not taken up that opportunity. I consider therefore that the following matters are not in dispute:-
 - a. The Applicant is the landlord, and the Respondent the tenant, of the Property.
 - b. The rent was £595 per month.
 - c. The Respondent is in rent arrears in the total sum of £7,630.
4. In terms of Rule 17 of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rule of Procedure, I may do anything at a Case Management Discussion that I may do at a Hearing, including make a decision. In terms of Rule 2, I must have regard to the overriding objective to deal with proceedings justly (including to deal with them expeditiously) when making a decision.
5. In all of the circumstances, I am satisfied that the order for payment should be granted. I will accordingly make an order for payment by the Respondent to the Applicant in the sum of £7,630.

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: Andrew Upton

Date: 16th October 2020