



**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/20/0870**

**Re: Property at Flat 3/1, 15 Dixon Road, Glasgow, G42 8AS (“the Property”)**

**Parties:**

**Coatbridge Property & Investment Company Ltd, C/O W M Cumming Turner and Watt, 40 Carlton Place, Glasgow, G5 9TS (“the Applicant”)**

**Mr Tom Brannigan, Flat 3/1, 15 Dixon Road, Glasgow, G42 8AS (“the Respondent”)**

**Tribunal Members:**

**Lesley Ward (Legal Member)**

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

- 1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the respondent shall pay to the applicant the sum of six thousand six hundred pounds (£6600).**
2. This is a case management discussion ‘CMD’ in connection with an application in terms of s16 of the Housing(Scotland) Act 2014, ‘the Act’ and rule 70 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, ‘the rules’ to recover rent arrears for the property.
3. The CMD proceeded by conference call due to the Covid-19 pandemic. The applicant’s solicitor Mr Stephen Moffat attended. The respondent did not attend and was not represented. The tribunal had sight of the sheriff officer’s execution of service dated 24 July 2020 which confirmed the CMD papers were served by depositing on that date. The tribunal was satisfied that the respondent had received appropriate notice in terms of rule 24. The tribunal proceeded with the CMD in terms of rule 29.

4. The tribunal had before it the following copy documents:

- (1) Application dated 11 March 2020.
- (2) Rent statement.
- (3) Tenancy agreement dated 24 August 2010.
- (4) The applicant's title to the property.

## **Discussion**

5. Mr Moffat confirmed that the respondent continues to reside in the property as far as the applicant is aware, and rent arrears continue to accrue. He was seeking an order for the outstanding rent of £6600 as set out in the rent schedule and application. He stated that rent arrears began to accrue in May 2018 and no rent has been paid since.

## **6. Findings in fact**

- (1) the applicant is the owner of the property.
- (2) The parties entered into an assured tenancy for let of the property on 24 August 2010.
- (3) The agreed rent was £300 per month.
- (4) Rent arrears began to accrue in May 2018.
- (5) As at March 2020 the arrears were £6600
- (6) The sum of £6600 remains outstanding.

## **7. Reasons**

This is an application to recover rent arrears arising out of an assured tenancy. The tribunal had sufficient information to proceed in the absence of the respondent and the procedure had been fair. The tribunal granted an order for the sum of £6600.

## **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.**

**18 August 2020**

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**Lesley A Ward Legal Member**

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**Date**

