



**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/20/1673**

**Re: Property at 82 Montgomery Street, Larkhall, ML9 2AD (“the Property”)**

**Parties:**

**Mr Jonathan Stead, 12 Manor View, Lanarkshire, ML9 2JP (“the Applicant”)**

**Mr Craig Brown, Flat 1/2 1 Barrack Street, Hamilton, South Lanarkshire, ML3 0HZ (“the Respondent”)**

**Tribunal Members:**

**Nairn Young (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that**

- Background

This is an application for an order for payment of sums allegedly due by the Respondent to the Applicant in terms of a private residential tenancy at the Property. It called for a case management discussion (‘CMD’) at 10am on 8 December 2020 by teleconference. The Applicant was represented on the call by Mr Barry Munro of GBS Lets. The Respondent did not call in to the teleconference and was not represented. Due to some delay in the Applicant’s representative calling in to the conference, the CMD did not in fact commence until 10:35am. There was still no contact from the Respondent at that time.

- Findings in Fact

1. The Respondent let the Property from the Applicant in terms of a private residential tenancy with a start date of 21 May 2019.
2. The tenancy came to an end at some point prior to 30 August 2020.

3. At the end of the tenancy the Respondent owed £3,010.41 in rent arrears.
4. In addition, the Respondent had damaged the Property, requiring repairs costing £3,130.
5. The Applicant received full payment of the deposit of £400 from the assured scheme it was held by against these outstanding sums.
6. The Respondent owes the Applicant a total of £5,740.41 in outstanding rent and damages.
  - Reasons for Decision
7. The Respondent owes the Applicant the sum mentioned in 6. above and an order for payment of that amount should therefore be made.
  - Decision

Order for payment of the sum of £5,740.41 (FIVE THOUSAND SEVEN HUNDRED AND FORTY POUNDS AND FORTY-ONE PENCE STERLING) granted.

### **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.**

08/12/2020

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**Legal Member/Chair**

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**Date**