



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51(1) of the Private Housing (Tenancies) (Scotland) and Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)

Chamber Ref: FTS/HPC/CV/20/1825

Re: Property at Flat 1/2, 37 Albert Road, Glasgow, G42 8DL (“the Property”)

Parties:

Mr Muzafar Yousaf, c/o The Property Store, 111 Albert Drive, Glasgow, G41 2SU (“the Applicant”) per his agents Messrs Anderson Strathern, solicitors, 50 George Square, Glasgow, G1 1EH (“the Applicant’s Agents”)

Mr Rouman Butt, Flat 1/2, 37 Albert Road, Glasgow, G42 8DL (“the Respondent”)

Tribunal Members: Karen Moore (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that a payment order in the sum of Four Thousand Nine Hundred and Fifty Pounds (£4,950.00) Sterling with interest thereon at the rate of eight per centum (8%) per annum be granted.

1. By application received between 28 August and 16 December 2020 (“the Application”), the Applicant’s Agents on behalf of the Applicant made an application to the First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Chamber”) for a payment order for rent due and owing arising from a private residential tenancy agreement between the Parties. The Application comprised an application form, copy private residential tenancy agreement showing a monthly rent of £450.00, and statements of rent due and owing by the Respondent to the Applicant showing the rent to be in arrears in the sum of £4,950.00 to August 2020.
2. On 6 January 2021, a legal member of the Chamber with delegated powers of the Chamber President accepted the Application and a Case Management Discussion (“CMD”) was fixed for 12 February 2021 at 10.00 am by telephone

conference call. The Application was intimated to the Respondent. The CMD was intimated to both Parties.

CMD

3. The CMD took place on 12 February 2021 at 10.00 am by telephone conference call. Neither the Applicant nor the Respondent took part. The Applicant was represented by Miss McAtier of the Applicant's Agents. The Respondent was not represented.
4. Miss McAtier confirmed that amount of £4,950.00 remained due and owing by the Respondent to the Applicant.

Findings of the Tribunal.

5. From the Application and the CMD, the Tribunal found the following facts to be established: -
 - i) There is a private residential tenancy agreement between the Parties;
 - ii) The monthly rent is £450.00;
 - iii) Rent arrears amounting to £4,950.00 have accrued to August 2020 and is due and owing by the Respondent to the Applicant and
 - iv) Interest on the sum due was sought in terms of the Application

Decision of the Tribunal and Reasons for the Decision.

6. Having found that rent arrears of £4,950.00 to August 2020 is due and owing by the Respondent to the Applicant, the Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal "may do anything at a case management discussionincluding making a decision" and so proceeded to make an order for payment of £4,950.00 together with interest as requested.

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.

Karen Moore

Legal Member/Chair

12 February 2021
Date