



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) Act 2016**

**Chamber Ref: FTS/HPC/CV/20/2036**

**Re: Property at 79 Whitehurst, Bearsden, G61 4PG (“the Property”)**

**Parties:**

**Matra Property Ltd, 6th Floor, 145 St Vincent Street, Glasgow, G2 5JF (“the Applicant”)**

**Miss Yvonne Leon, 79 Whitehurst, Bearsden, G61 4PG (“the Respondent”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member)**

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

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

**Background**

The Application is for a Payment Order for rent arrears said to be owed by the Respondent to the Applicant in respect of a Private Residential Tenancy between the parties. The Application originally sought a Payment Order in the sum of £3,900.00.

An Application to amend this amount to the sum of £4,156.44 was subsequently submitted to the Tribunal and intimated to the Respondent on 24 October 2020.

The Applicant had submitted a rent statement showing the rent said to be unpaid with the Application and had also submitted an updated rent statement in support of the Application to amend the sum sought.

Intimation of the Application and the details of today’s Case Management Discussion and information about how to take part in the conference call was served on the Respondent by Sheriff Officers on 23 October 2020.

**Case Management Discussion**

The Case Management Discussion commenced at 11:30 am on 23 November 2020 by means of a conference call. Information about how to take part in the conference call had been properly intimated to both parties as referred to above.

The Applicant was represented in the conference call by Ms Pamela Darven of Fineholm Lettings. There was no appearance by or on behalf of the Respondent.

The Tribunal considered it was fair to proceed with the Case Management Discussion as the Respondent had properly had the Application and hearing details intimated on her.

### **Findings in Fact**

Having heard from Ms Darven, the Tribunal made the following findings in fact.

- I. The parties entered into a Private Residential Tenancy in respect of the Property.*
- II. The Applicant was the landlord and the Respondent was the tenant.*
- III. The tenancy commenced on 11 January 2019.*
- IV. The monthly rent due to be paid by the Respondent to the Applicant is £650.00.*
- V. The Respondent has fallen into rent arrears and at the time the Application was submitted, £3,900 was outstanding and owed by the Respondent to the Applicant as rent.*
- VI. The sum of £4,156.44 is now lawfully due as rent as per the Private Residential Tenancy between the parties.*

### **Reasons for Decision**

Having made the above findings in fact and having considered the Application and the documentation produced along with it, the Tribunal decided to grant the Application and to make a Payment Order in favour of the Applicant against the Respondent in the amended sum sought of £4,156.44.

### **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.**

Andrew McLaughlin

**23 November 2020**

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**Legal Member/Chair**

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**Date**