



**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/20/2329**

**Re: Property at 39 Criffell Road, Mount Vernon, G32 9JE (“the Property”)**

**Parties:**

**Mr Paul Mcfarlane, C/O 1-2 Let, 104 Bellgrove Street, Glasgow, G31 1AA (“the Applicant”)**

**Mr David Simpson, 39 Criffell Road, Mount Vernon, G32 9JE (“the Respondent”)**

**Tribunal Members:**

**John McHugh (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment by the Respondent to the Applicant of the sum of £3123.50 should be made.**

**Background**

The Applicant is the landlord and the Respondent the tenant of the Property in terms of a Private Residential Tenancy Agreement dated 11 January 2019. The Applicant seeks an order for payment of unpaid rent.

**The Case Management Discussion**

A Case Management Discussion took place by telephone on 7 January 2021. The Applicant was represented by Gail Robertson, letting agent. The Respondent was not in attendance. The Tribunal has received no contact from him.

## **Findings in Fact**

The Applicant is the landlord and the Respondent the tenant of the Property in terms of a Private Residential Tenancy Agreement dated 11 January 2019.

Rent is due by the Respondent at the rate of £750 per month in terms of the tenancy agreement.

At the time of raising the Application, rent in the sum of £3123.50 was outstanding by the Respondent.

The Respondent remains in occupation and arrears have increased to £4123.50 as at 17 December 2020.

## **Reasons for Decision**

The sum of £3123.50 is due by the Respondent to the Applicant in unpaid rent in terms of the tenancy agreement. Although the amount of rent has increased since the date of the application being presented to the Tribunal, in the absence of an application to amend in accordance with Rule 14A of the Tribunal Procedure Rules, the Tribunal may only make an order in the sum originally sought.

## **Decision**

An order for payment by the Respondent to the Applicant of the sum of £3123.50 will be made.

## **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.**

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**John McHugh**  
**Legal Member/Chair**

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**7 January 2021**  
**Date**