



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/21/0152

Re: Property at Gaups Mill, Moniaive, Thornhill, DG3 4ER (“the Property”)

Parties:

Mr Robert Schiller, C/O Levy and McRae Solicitors LLP, 70 Wellington Street, Glasgow, G2 6UA (“the Applicant”)

Ms Joanna Parker, Gaups Mill, Moniaive, Thornhill, DG3 4ER (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member) and David Fotheringham (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent is liable to make payment to the Applicant in the sum of FIVE THOUSAND POUNDS (£5,000.00) STERLING

STATEMENT OF REASONS

1. This application called for its hearing by WebEx on 25 August 2021. The Applicant was present and also represented by Mr Shaw, solicitor. The Respondent was represented by Mr Hann, solicitor.
2. Due to the Respondent having not appeared at the Hearing, the Hearing was briefly adjourned to allow Mr Hann to contact his client and ascertain whether she intended to appear and give evidence.
3. When the Hearing resumed, Mr Hann indicated that he believed that the parties may be able to resolve the matters in dispute if afforded a short adjournment for a sensible discussion. Mr Shaw confirmed that the Applicant

was agreeable to such a discussion, and the Hearing was adjourned to allow that to take place.

4. When the Hearing resumed, the parties confirmed that agreement had been reached in respect of the matters in dispute, and that the Applicant's motion of consent was for the Tribunal to make an order for payment of £5,000 in respect of rent arrears. The Tribunal did so.

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 Upton

25/08/21

Legal Member/Chair

Date