



**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/21/0172**

**Re: Property at 14 Society Court, Society Lane, Aberdeen, AB24 4DE (“the  
Property”)**

**Parties:**

**S, A & S Properties Ltd, 16 Society Court, Aberdeen, AB24 4DE (“the  
Applicant”)**

**Mr David Daniel or Gniba, 14 Society Court, Society Lane, Aberdeen, AB24 4DE  
 (“the Respondent”)**

**Tribunal Members:**

**Alison Kelly (Legal Member) and Angus Lamont (Ordinary 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 in the amount of £859 should  
be made.**

The Applicant lodged an application on the 25<sup>th</sup> January 2021 under Rule 111 of the  
First Tier Tribunal for Scotland Housing and Property Chamber (Procedure)  
Regulations 2017 (“the Rules”), seeking an order for payment of £1634 comprising of  
rent arrears and an amount for property disposed of by the Respondent.

Lodged with the application were:-

1. Copy Tenancy Agreement dated 6<sup>th</sup> September 2019 showing a monthly rent  
of £500
2. Rent Statement

The Applicant explained in the application that the Respondent had insisted that the Tenancy Agreement be redrawn with his mother as the tenant. This had been done and the new tenancy began on 13<sup>th</sup> March 2020. The Respondent continued to live in the property.

The application was served on the Respondent by Sheriff Officer on 9th April 2021.

### **Case Management Discussion**

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was represented Alison Girvan, and was supported by her husband, Sean Girvan. There was no appearance by the Respondent nor by any representative on her behalf.

The Tribunal explained the purposes of a CMD in terms of Rule 17 of the Rules.

The Applicant confirmed that she was seeking a payment order. After discussion with the Tribunal she agreed that she was unable to vouch at this time the value of the furniture that had been disposed of, and she accordingly amended her application to seek payment of rent arrears only. The rent statement showed that the amount due by the Respondent was £859

### **Findings in Fact**

1. The parties entered into a Tenancy Agreement in respect of the property;
2. The Tenancy Agreement had a commencement date of 6<sup>th</sup> September 2019 and ended on 12<sup>th</sup> March 2020;
3. The monthly rent was £500;
4. The Respondent owed rent of £859.

### **Reason For Decision**

The Respondent owed rent of £859.

### **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.

# A Kelly

13<sup>th</sup> May 2021

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Legal Member/Chair

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Date