



**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/21/0338

**Re: Property at 25 Fir View, Calderbank, Airdrie, North Lanarkshire, ML6 9SW
("the Property")**

Parties:

**Mrs Lynne Hawthorn, 6 School Rise, Beverley Road, North Newbald East Riding,
Carlisle, YO43 4FB ("the Applicant")**

**Miss Gillian Morrison, 25 Fir View, Calderbank, Airdrie, North Lanarkshire, ML6
9SW ("the Respondent")**

Tribunal Members:

Nairn Young (Legal Member)

Decision (in absence of the Respondent)

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

- Background

This is an application for an order for payment of arrears of rent alleged to be owed by the Respondent to the Applicant in terms of her assured tenancy at the Property. It called for a case management discussion ('CMD') at 2pm on 19 May 2021, by teleconference. The Applicant called in to the conference and was represented by Mr Buttery of Freelands, solicitors. The Respondent did not call in and was not represented. The Tribunal allowed until 2:10pm before commencing the CMD, in case the Respondent was unable to join due to technical issues, but no contact was made by her.

The application, with details of the CMD, was served on the Respondent by sheriff officers on 20 April 2021. No written representations have been received from the Respondent. The Tribunal considered that sufficient notice of the CMD had been given to the Respondent and that to delay consideration of the matter in the hope of

securing her attendance would not be in the interests of justice. The CMD therefore proceeded.

- Findings in Fact

1. The Applicant let the property to the Respondent in terms of a short assured tenancy, commencing 27 October 2017 ('the tenancy').
2. The duration of the tenancy was 6 months, continuing thereafter on a monthly basis until ended by either party giving two months' notice from the next rent payment date.
3. Rent of £625 was payable on the 27th day of each month.
4. No deposit was taken against failure to pay rent.
5. A notice to quit, bringing the tenancy to an end on 26 December 2019, was sent by the Applicant to the Respondent by recorded delivery post on 3 October 2019.
6. The Respondent continues to occupy the Property in terms of the statutory assured tenancy formed on termination of the tenancy.
7. As at 26 February 2021, the Respondent was in arrears of rent of £10,050.

- Reasons for Decision

8. The Respondent owes the Applicant at least £10,050 in unpaid rent, which is the sum sought in the application. An order for payment of that amount should therefore be made.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of £10,050 (TEN THOUSAND AND FIFTY POUNDS STERLING).

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.

Nairn Young

Legal Member: Nairn Young

Date: 19th May 2021