



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017.**

**Chamber Ref: FTS/HPC/CV/21/0759**

**Re: Property at Flat 4/3, 17 Oswald Street, Glasgow, G1 4PD (“the Property”)**

**Parties:**

**Mr Quinnan Lee, Littleacre, Crosslee, Johnstone, Renfrewshire, PA6 7AL (“the Applicant”)**

**Mr Barry Donald, 47 Victoria Road, Gourock, PA19 1DB (“the Respondent”)**

**Tribunal Members:**

**Fiona Watson (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application is dismissed.**

- Background
  1. An application dated 22 March 2021 was submitted to the Tribunal under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”), seeking a payment order in the sum of £5,800 against the Respondent in relation to rent arrears accrued under a private residential tenancy agreement.
- The Case Management Discussion
  2. A Case Management Discussion (“CMD”) took place on 14 July 2021, by tele-conference. The Applicant was represented by their letting agent, Mr Strachan of Even Property. There was no appearance by or on behalf of the Respondent. The application had been intimated on the Respondent by Sheriff Officer on 10 June 2021. The Tribunal was accordingly satisfied that the Respondent had been duly notified of the date and time of the CMD and that the CMD could proceed in the Respondent’s absence.

3. The Applicant's representative advised that the sum due had been repaid in full the previous week. Therefore the Order was no longer required and the application could be dismissed. The Respondent had emailed the Tribunal administration on 9 July 2021 confirming that payment had been made in full.

- Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) dismissed the application.

### **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.**

# F Watson

**Legal Member/Chair**

**Date: 14 July 2021**