



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/21/0764

Re: Property at 8/2 Rosevale Street, Hawick, TD9 8AD (“the Property”)

Parties:

Mima Investments Ltd, 393 Lordship Lane, London, N17 6AE (“the Applicant”)

Mr Rhys Jeffrey, 8 Atkinson Road, Hawick, TD9 7BP (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that:

Background

The Applicant seeks a Payment Order against the Respondent in the sum of £690.00. These sums are said to be owed as unpaid arrears of rent. The Application is accompanied by a rent statement and a copy of the tenancy.

The Case Management Discussion

The Application called as a Case Management Discussion at 2 pm on 26 July 2021 by conference call. The Applicant was represented by Ms Tofts of Catford Investments Ltd. There was no appearance by or on behalf of the Respondent. The Application and

intimation of the Tribunal and information about how to join the conference call had been served on the Respondent at their address of 8A Atkinson Road, Hawick on 22 June 2021. The Tribunal decided to proceed in the absence of the Respondent.

Having heard from Ms Tofts and considered the Application, the Tribunal made the following findings in fact.

Findings in fact

- I. The Applicant and the Respondent entered into a tenancy agreement in respect of the Property;*
- II. The Applicant was the landlord and the Respondent was the tenant;*
- III. The contractual monthly rent due was £370.00;*
- IV. The tenancy commenced on 8 October 2019,*
- V. The Respondent fell into rent arrears and the sum of £690.00 is lawfully owed as rent to the Applicant by the Respondent but remains unpaid.*

Reasons for Decision

Having made the above findings in fact, the Tribunal decided to grant the Application and make a Payment Order in the sum of £690.00 against the Respondent. Interest will run on that sum at the rate of 3 per cent from today's date until payment.

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 McLaughlin

26th July 2021

Legal Member/Chair

Date