



**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/21/0866

Re: Property at 10C Millburn Road, Renfrew, PA4 8UJ (“the Property”)

Parties:

Mr Michael Moran, 30 Glebe Street, Renfrew, PA4 8TY (“the Applicant”)

Mr Gavin Dickie, 44 Millfield Drive, Erskine, PA8 6JA (“the Respondent”)

Tribunal Members:

Lesley-Anne Mulholland (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted a Payment Order in the sum of £2,487.07 against the Respondent.

1. This is an application under Rule 111 for a Payment Order.
2. The Applicant is the owner and landlord of the property at 10C Millburn Road, Renfrew, PA4 8UJ. The Respondent was the sole tenant. He entered into a tenancy agreement with the Applicant on 9 January 2020. The tenancy agreement specifies that £395 is due in respect of rent each calendar month payable in advance.
3. The Applicant asserts that the Respondent has accrued rent arrears, as at the date of the application, in the sum of £1,970 and that he is liable for damage, cleaning, and missing items taken from the property. The cost of replacing and making good the property is £517.07 as detailed in the schedule provided by the Applicant and evidenced by various invoices and receipts. The Applicant has lodged the deposit of £200 into a government approved tenancy deposit

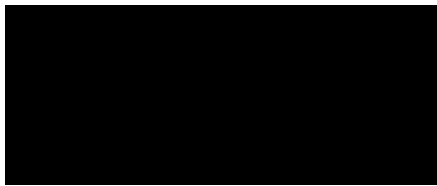
scheme for landlord's and agents. The Applicant asks that the deposit is returned to him to be offset against the sum sued for.

4. A case management discussion took place at 14.00 am on 18 June 2021. The hearing preceded remotely by telephone conference. The Applicant, Mr Moran joined the hearing. I was satisfied that the discussion was fair and that Mr Moran was able to put his points across. No obvious issues arose with sound or connectivity.
5. The Respondent has failed to engage with the application or make contact with the Housing and Property Chamber. I decided to continue the discussion in the Respondent's absence after satisfying myself that all the relevant paperwork had been properly served on him and that he was notified of today's hearing. The Respondent has been notified that the Tribunal can make any decision at a Case Management Discussion that could be made at a hearing.
6. Mr Moran said that he had tried to negotiate payment and reach an agreement before the Respondent left the property but after he left the Respondent had severed all communications with him. As such, he had no option but to make an application for a Payment Order.
7. According to the information contained in the application and supporting documents, the Respondent went into rent arrears on 12 April 2020 in the sum of £140 and remained in arrears until 12 February 2021, by which time the rent arrears had increased to £1,970.
8. It is clear that the Respondent made attempts to bring the rent account up to date from time to time however it nevertheless remains clear that the arrears are substantial and have remained over a considerable period of time.
9. The Applicant has provided an itemised schedule representing the cost of restoring the property to the way it was on entry in the sum of £427.07. He asks for a further £90 to cover the cost of tracing the Respondent as he failed to provide a forwarding address.
10. The Respondent has not engaged with the Housing and Property Chamber in anyway which means that there is no challenge to the application. The Respondent has expressed no intention of paying the sum due. The Respondent has been properly served with a copy of the application, alongwith itemised schedules of rent arrears and costs to reinstate the property as evidenced by the

Certificate of Service by Sheriff Officers. Having considered all the information, individually and in the round, I have decided to make a Payment Order in the sum of £2,487.07.

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.



Legal Member/Chair

18 June 2021

Date