



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

**Chamber Ref: FTS/HPC/CV/21/0942**

**Re: Property at 26 Albert Street, Dundee, DD4 6QG (“the Property”)**

**Parties:**

**Mr Grahame Taylor, 69 Ballumbie Gardens, Dundee, DD4 0NR (“the Applicant”)**

**Mr Krzysztof Marzec, 26 Albert Street, Dundee, DD4 6QG (“the Respondent”)**

**Tribunal Members:**

**Graham Dunlop (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the respondent is required to make payment to the applicant the sum of Seven Thousand Five Hundred and Eighty Pounds (£7,580) sterling together with interest at 4% per annum from the date of this decision until payment.**

**Background**

1. The parties entered a tenancy for the property commencing on 17<sup>th</sup> May 2019. The rental under the tenancy is £320 per month. Since the tenancy commenced the respondent has only paid £100 in respect of rent.
2. The applicant has advised the respondent of potential sources of assistance and finance in a letter sent on or about 3<sup>rd</sup> November 2020.
3. The sum presently outstanding is £7,580. The applicant sought interest on any sum awarded.

## **Findings in Fact**

1. That the tenancy requires the respondent to pay rent which he has failed to do.
2. That the sum of £7,580 in respect of rent arrears to date is outstanding.
3. That the respondent is entitled to interest in terms of rule 41A of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Scotland Regulations 2017.

## **Reasons for Decision**

1. The respondent as tenant has failed to pay the sums due under the tenancy.
2. The Tribunal found that 4% per annum, being half the judicial rate, was an appropriate rate of interest.

## **Decision**

The Tribunal awards the sum of £7,580 (Seven Thousand Five Hundred and Eighty Pounds) sterling together with interest at 4% per annum from the date of this decision 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.**

Graham Dunlop

4<sup>th</sup> June 2021

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**Legal Member/Chair**

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**Date**