

**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Chamber Ref: FTS/HPC/CV/21/0951

Re: Property at 23 Rose Street, Dunfermline, KY12 0QT (“the Property”)

Parties:

Mr James Donald, 49 Rose Street, Dunfermline, KY12 0QT (“the Applicant”)

**Mr Taylor Crockett also known as Hunter, Kemp House, 160 City Road,
London, EC1V 2NX (“the Respondent”)**

Tribunal Members:

Virgil Crawford (Legal Member)

Decision (in absence of the Respondent)

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

BACKGROUND

1. By lease dated 4 October 2018 the Applicant let the Property to the Respondent;
2. The rent payable was £560.00 per calendar month;
3. The Respondent removed himself from the Property on 31 August 2020;
4. Prior to that date the Respondent had fallen in to arrears of rent. The amount outstanding as at 31 August 2020 was £1,640.75;
5. The Respondent has failed to make payment towards the arrears since then;

THE CASE MANAGEMENT DISCUSSION

6. A case Management Discussion was assigned for 2pm on 2 August 2021, to be conducted by teleconference;
7. The Applicant participated in the Case Management Discussion. The Respondent did not. The Tribunal was in receipt of an execution of service confirming that the proceedings, including the date and time of

the Case Management Discussion, had been intimated upon the Respondent. In the circumstances the Tribunal, being satisfied in terms of Rule 24 of The First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (the “FTT Rules”) that the Respondent had received reasonable notice of the same determined that it was appropriate to proceed in accordance with Rule 29 of the FTT Rules;

8. The Applicant advised the Tribunal that she had not received any payment towards the arrears of rent and requested the Tribunal to make an order for payment in the amount of £1,640.75;

FINDINGS IN FACT

9. The Tribunal found the following to be established:-
 - a) By lease dated 4 October 2018 the Applicant let the Property to the Respondent;
 - b) The rent payable was £560.00 per calendar month;
 - c) The Respondent removed himself from the Property on 31 August 2020;
 - d) Prior to that date the Respondent had fallen in to arrears of rent. The amount outstanding as at 31 August 2020 was £1,640.75;
 - e) The Respondent has failed to make payment towards the arrears since then;
 - f) An amount of £1,640.75 is due, resting and owing by the Respondent to the Applicant;

REASONS FOR DECISION

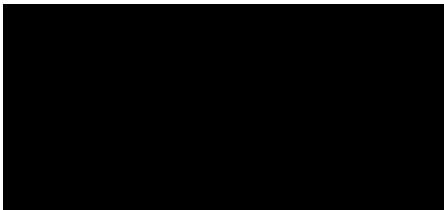
10. The sum claimed is due to the Applicant by the Respondent;
11. The Respondent did not participate in the case Management Discussion and, in the circumstances, there was no reason provided to the Tribunal to challenge the claim made;

DECISION

The Tribunal granted an order for payment of the sum of ONE THOUSAND SIX HUNDRED AND FORTY POUNDS AND SEVENTY FIVE PENCE (£1,640.75) STERLING by the Respondent to the Applicant

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.



2 August 2020

Legal Member/Chair

Date