



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/21/1089

**Re: Property at Flat 2/1, 6 Turnberry Road, Hyndland, Glasgow, G11 5AE (“the
Property”)**

Parties:

**Julia Thompson, Ms Claire Thompson, c/o Newton Letting, 87 Port Dundas
Road, Glasgow, G4 0HF; c/o Newton Letting, Suite 2-1, 116 Elderslie Street,
Glasgow, G3 7AW (“the Applicant”)**

**Ms Margaret Hanlon, Flat 2/1, 6 Turnberry Road, Hyndland, Glasgow, G11 5AE
 (“the Respondent”)**

Tribunal Members:

Graham Harding (Legal Member) and Sandra Brydon (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the Applicant was entitled to an order for payment by
the Respondent in the sum of £11591.31.**

Background

1. By application dated 7 May 21 the Applicants’ representatives Lindsays LLP, Solicitors, Edinburgh applied to the Tribunal for an order for payment in respect of alleged rent arrears arising from the Respondent’s tenancy of the property. The Applicants representatives submitted a copy of the tenancy agreement and a rent statement in support of the application.
2. By Notice of Acceptance dated 19 May 2021 a legal member of the Tribunal accepted the application and a Case Management Discussion was assigned.
3. Intimation of the Case Management Discussion was given to the Applicants’ representatives by post and to the Respondent by Sheriff Officers.

4. A Case Management Discussion ("CMD") was held by teleconference on 25 June 2021. The Applicants did not attend but were represented by Mr Piggot from the Applicants' representatives. The Respondent did not attend but was represented by Miss Cavanagh of the Legal Services Agency Ltd. At the CMD the Tribunal allowed the sum claimed to be amended to £11591.31. The Tribunal continued the CMD to a further CMD and directed the Applicant's representatives to submit a simplified rent statement showing the rent payments due from the commencement of the tenancy, any additional charges levied, the rent paid by the Respondent and any rent payments made by way of Housing Benefit or other benefit. The Tribunal also directed that in the event of the Respondent wishing to continue to dispute the sum claimed she was required to provide the Tribunal with written representations setting out details of the Respondent's case.
5. By email dated 16 July 2021 the Applicant's representative submitted a further rent statement. The Respondent's representative did not submit any written representations.

The Case Management Discussion

6. A further CMD was held by teleconference on 10 August 2021. The Applicant did not attend but was again represented by Mr Piggot. The Respondent also did not attend and was again represented by Miss Cavanagh.
7. Miss Cavanagh advised the Tribunal that the Respondent was no longer disputing the sum claimed by the Applicant and agreed to an order for payment in the amended sum of £11591.31 being granted.
8. Mr Piggot confirmed he wished an order for the sum of £11591.31 to be granted.

Findings in Fact

9. The parties entered into a Short Assured Tenancy agreement that commenced on 27 July 2017 for a period of six months and from month to month thereafter at a rent of £1295.00 per month.
10. The Respondent has accrued rent arrears during the tenancy.
11. The amount due by the Respondent to the Applicant as at 4 June 2021 amounted to £11591.31.

Reasons for Decision

12. The Tribunal was satisfied from the documents provided and the oral submissions made on behalf of the parties that the Respondent had accrued debt in respect of rent due for her tenancy of the property. The parties were agreed that an order for payment should be granted in the amended sum

sought of £11591.31 and in the circumstances the Tribunal was prepared to grant an order for payment in that amount.

Decision

13. The Tribunal finds the Applicant entitled to an order for payment by the Respondent in the sum of £11591.31.

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 Harding
Legal Member/Chair**

**10 August 2021
Date**

