



**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/21/1465**

**Re: Property at 4 Berryhill Lane, Strathaven, ML10 6XE (“the Property”)**

**Parties:**

**Mrs Moraig Lowman, Gable Cottage, 7 Horsecroft Stanford in the vale, Farington, Oxfordshire, SN7 8LL (“the Applicant”)**

**Ms Miriem Moodie, UNKNOWN, UNKNOWN (“the Respondent”)**

**Tribunal Members:**

**Andrew Upton (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 liable to make payment to the Applicant in the sum of FOUR THOUSAND FIVE HUNDRED AND FIFTY POUNDS (£4,550.00) STERLING**

**STATEMENT OF REASONS**

1. This Application called for its Case Management Discussion by teleconference call on 11 October 2021. The Applicant was represented by Miss Foot of Rent Locally. The Respondent was neither present nor represented.
2. Prior to the CMD I was provided with a copy of the Service By Advertisement certificate confirming that notice of the CMD had been given to the Respondent by publication on the Tribunal website on 7 September 2021. I was satisfied that the Application had been served on the Respondent in accordance with the First-tier Tribunal for Scotland Housing and Property Chamber Procedure Rules 2017 (“the Rules”).

3. In this Application, the Applicant seeks payment of rent arrears allegedly accrued by the Respondent in the sum of £4,550 during the period November 2020 until June 2021.
4. In terms of Rule 17(4) of the Rules, the Tribunal is empowered to do anything at a CMD that it may do at a Hearing, including make a decision. In terms of Rule 2, the Tribunal must, when making a decision, have regard to the overriding objective to deal with proceedings justly, including by avoiding delay.
5. The Respondent has been afforded an opportunity to attend the CMD to contest the allegations made by Applicant in the Application but she has chosen not to do so. I am therefore satisfied that the contents of the Application are not disputed. Accordingly, I granted the order for payment in the sum of £4,550.

### **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.**

**Andrew Upton**

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**Legal Member/Chair**

**11<sup>th</sup> October 2021**  
**Date**