



**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**

**Chamber Ref: FTS/HPC/CV/21/1544**

**Re: Property at 34 Fortingall Crescent, Falkirk, FK2 0QD (“the Property”)**

**Parties:**

**KKM Properties LTD, 5 Avon Brook Steading, Falkirk, FK1 3AG (“the Applicant”)**

**Mr Kenny Richardson, 19 Atholl Court, High Blantyre, G72 0YX (“the Respondent”)**

**Tribunal Members:**

**Steven Quither (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 to pay to the Applicant the sum of THREE THOUSAND SIX HUNDRED AND EIGHTY ONE POUNDS 89 PENCE (£3681-89) STERLING**

**1. BACKGROUND**

This is an application for payment of rent arrears arising out of a Private Residential Tenancy Agreement between the parties commencing 28 July 2020, in respect of which the Applicant states rent arrears have accrued in the sum of £3681-89, up to 30 May 2021. Following upon sundry procedure, a Case Management Discussion (“CMD”) was fixed for 14 September 2021.

**2. CASE MANAGEMENT DISCUSSION**

Only the Applicant attended the CMD which took place by tele-conference. He confirmed that the sum he was seeking was £3681-89, per Tenancy Statement lodged in support of the application. He advised that so far as he was aware, the Respondent had encountered employment difficulties arising out of the coronavirus pandemic and he had assisted him as best he could in ascertaining what financial assistance might be available. So far as he was

aware also, the Respondent had obtained some sort of financial assistance, possibly through Universal Credit, but this had been shortlived and had made only minor inroads into the rent arrears. Attempts by the Applicant and his agents to engage with the Respondent had been unfruitful and eventually the Respondent vacated the Property on or about 31 May 2021, leaving rent arrears in the sum now claimed.

**3. FINDINGS IN FACT**

That rent arrears due to the Applicant in terms of a Private Residential Tenancy Agreement with the Respondent have accrued in the sum of £3681-89 up till 30 May 2021 and the Respondent is liable for same.

**4. REASONS FOR DECISION**

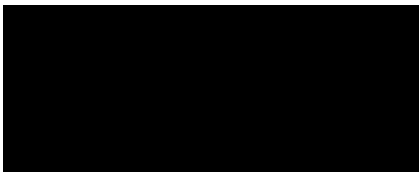
I had no difficulty in accepting what I was told by the Applicant and accordingly considered it just to make the award in the sum sought of £3681-89.

**5. DECISION**

**To make an order for payment by the Respondent to the Applicant of THREE THOUSAND SIX HUNDRED AND EIGHTY ONE POUNDS 89 PENCE (£3681-89) STERLING.**

**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.**



**14 SEPTEMBER 2021**

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**Legal Member/Chair**

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**Date**