



**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/21/1559

Re: Property at 100 Kings Road, Rosyth, Fife, KY11 2RY (“the Property”)

Parties:

Nabila Irshad, Mr Zahid Irshad, Camdean Crescent, Rosyth, Fife, KY11 2TJ (“the Applicant”)

Miss Gillian Patterson, Mr Stephen Murphy, 100 Kings Road, Rosyth, Fife, KY11 2RY (“the Respondent”)

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment in the amount of £12,100 should be made.

Background

On 28th June 2021 the Applicant lodged an application under Rule 70 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”), seeking payment of arrears of rent in the amount of £10400.

Lodged with the application were:-

1. The Tenancy Agreement showing a start date of 8th November 2014 and rent due of £550 per month;
2. Rent Statement.

On 31st August 2021 the application and Notice of Case Management Discussion were served on the Respondent by Sheriff Officer.

On 16th September 2021 the Applicant's representative lodged an up to date rent statement and sought to amend the sum sued for.

Case Management Discussion

The Case Management Discussion ("CMD") took place by teleconference. The Applicant was represented by Ms Iram Khan of Redbox ps. There was no attendance by the Respondents or any representative on their behalf.

The Tribunal explained the purposes of a CMD in terms of Rule 17 of the Rules.

Miss Khan advised that the tribunal that the Respondents had not paid any rent since the beginning of 2020. They had not responded to any attempts made to contact them. The rent arrears at 6th September 2021 stood at £12,100. Ms Khan asked for a payment order in that amount.

Findings in Fact

1. The parties entered into a Tenancy Agreement in respect of the property;
2. The Tenancy Agreement had a commencement date of 8th November 2014;
3. The rent was £550 per month;
4. The arrears when the application was lodged were £10,400;
5. The arrears at 6th September 2021 are £12,100.

Reasons for Decision

The Respondents are in arrears of £12,100.

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.

Alison Kelly

1st October 2021

Legal Member/Chair

Date