



**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/21/1708

Re: Property at 42 George Court, Hamilton, ML3 9HG (“the Property”)

Parties:

Mr Edward O'Loughlin, 150 Netherlee Road, Glasgow, G44 3QA (“the Applicant”)

**Mr Tomasz Robert Swiatkowski, 42 George Court, Hamilton, ML3 9HG (“the
Respondent”)**

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order for payment in the amount of £4882 should
be made.**

Background

The Applicant lodged an application on 15th July 2021 under Rule 70 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.

Lodged with the Application were:

1. Copy Short Assured Tenancy commencing 11th June 2010
2. Rent Statement

The Application was served on the Respondent by Sheriff Officer on 9th August 2021.

Case Management Discussion

The Case Management Discussion ("CMD") took place by teleconference. The Applicant was represented by George Reynolds of Smart Move Estate Agents (Scotland) Ltd. The Respondent did not attend and was not represented.

The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.

Mr Reynolds asked that an order be granted for payment, in the amount of £4882, being the sum due as shown on the rent statement.

Findings in Fact

1. The parties entered in to a tenancy agreement for rent of the property;
2. The monthly rent was £425;
3. On 11th July 2021 the rent arrears owed were £4882.

Reasons for Decision

The Respondent owes rent to the Applicant as at 11th July 2021 in the amount of £4882.

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

Legal Member/Chair

09 September 2021

Date