



**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/21/1820

**Re: Property at Flat 2/1, 136 West Blackhall, Greenock, PA15 1XR (“the
Property”)**

Parties:

**Martin Docherty Limited, 40 Brisbane Street, Greenock, PA16 8NP (“the
Applicant”)**

**Miss Angela Dominick, Flat 1/2, 13 Murray Street, Greenock, PA16 7EQ (“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 £987.50 should
be made.**

Background

On 28th July 2021 the Applicant lodged an application under Rule 111 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 £887.50.

Lodged with the application were:-

1. The Tenancy Agreement showing a start date of 10th March 2021 and rent due
of £350 per month;
2. Rent Statement.

On 19th August 2021 the Applicant's Representative sent an email and rent statement to the Tribunal confirming that the £100 deposit had been returned to them by Safe Deposit Scotland and applied to the rent account.

The papers were served on the Respondent by Sheriff Officer on 15th September 2021.

Case Management Discussion

The Case Management Discussion ("CMD") took place by teleconference. The Applicant was represented by Mrs Deans of Penny Lane Homes In Johnstone Limited. There was no attendance by the Respondent or any representative on his behalf.

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

Mrs Deans confirmed that she was seeking a payment order in the amount of £887.50, in terms of her application and the email of 19th August 2021.

Mrs Deans confirmed that the Respondent left the tenancy on 3rd June 2021.

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 10th March 2021;
3. The rent was £350 per month;
4. The arrears when the application was lodged were £987.50;
5. The Respondent left the property on 3rd June 2021;
6. The Applicant received return of £100 deposit which was applied to the arrears;
7. The sue due by the Respondent is £887.50.

Reasons for Decision

The Respondent owes rent arrears to the Applicant in the amount of £887.50.

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.

A Kelly

18th October 2021

Legal Member/Chair

Date