



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) in terms of 17 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)  
In respect of an application under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016 (“the Act”) and Rule 111 of the Rules**

**Chamber Ref: FTS/HPC/CV/21/2410**

**Re: Property at 230 Ashcroft Drive, Croftfoot, Glasgow, G44 5QG (“the Property”)**

**Parties:**

**Staffa Rock PLC, 42 Holmlea Road, Glasgow, G44 4AL (“the Applicant”) per their agents, Indigo Square Property Ltd., 42, Holmlea Road, Glasgow, G44 4AL (“the Applicant’s Agents”)**

**Alan Docherty and Jacqueline Cairney, sometime of 230 Ashcroft Drive, Croftfoot, Glasgow, G44 5QG and with an address at 35 Melrose Court, Rutherglen, Glasgow, G73 3DB (“the Respondent”)**

**Tribunal Members:**

**Karen Moore (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 sum of FOUR THOUSAND THREE HUNDRED AND THIRTY FIVE POUNDS (£4,335.00) Sterling**

1. By application received between 5 October 2021 and 9 November 2021 (“the Application”), the Applicant’s Agents applied to the Tribunal for an Order for payment of rent arrears of £4,335.00 arising from a tenancy between the Parties. The Application comprised a copy tenancy agreement and a statement of rent due and owing to October 2021. The Application was accepted by the Tribunal and a Case Management Discussion (the “CMD”) was fixed for 18 January 2022 at 14.00 by telephone conference. The CMD was intimated to the Parties.

**CMD**

2. The CMD took place on 18 January 2022 at 14.00 by telephone. The Applicant did not take part and was represented by Ms. Val West of the Applicant’s Agents. The

Respondent did not take part and were not represented. They did not submit any written representations.

3. Ms. West confirmed the sum sought was £4,335.00.

#### **Findings in Fact**

4. From the Application and the CMD, the Tribunal made the following findings in fact: -
  - i) There is or has been a tenancy of the Property between the Parties at a monthly rent of £525.00.
  - ii) Rent amounting to £4,335.00 to the end of October 2021 is outstanding and due and owing by the Respondent to the Applicant.

#### **Decision**

5. Having made those findings, the Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal “may do anything at a case management discussion .....including making a decision” and so proceeded to make an order for payment in the sum of £4,335.00

#### **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.

# K. Moore

18<sup>th</sup> January 2022

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Legal Member/Chair

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Date