

Housing and Property Chamber
First-tier Tribunal for Scotland



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 (“the Act”) Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)

Chamber Ref: FTS/HPC/CV/21/2452

Re: Property at Flat 7 (3/1), 63 Croftside Avenue, Croftfoot, Glasgow, G44 5LA (“the Property”)

Parties:

Mrs Meredith Muirhead, 221 Old Castle Road, Glasgow, G44 5EZ (“the Applicant”)per her agents Speirs Gumley Residential Letting Ltd., Redtree Magenta Building, 270, Glasgow Road, Glasgow G73 1UZ (“the Applicant’s Agents”)

Ms Ashley Lisa Bell, Flat 7 (3/1), 63 Croftside Avenue, Croftfoot, Glasgow, G44 5LA (“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 NINE HUNDRED AND ONE POUNDS AND NINETY PENCE STERLING (£4,901.90)

1. By application received between 8 October 2021 and 12 November 2021 (“the Application”), the Applicant’s Agents applied to the Tribunal for an Order for payment of rent amounting to £3,860.00 due by the Respondent to the Applicant to October 2021 in respect of a private residential tenancy agreement between the Parties. The Application comprised a copy of the tenancy agreement and a statement of rent at £550.00 per month due and paid showing arrears of £3,860.00 due and owing at 8 October 2021.
2. The Application was accepted by the Tribunal and a Case Management Discussion (the “CMD”) was fixed for 24 January 2022 at 14.00 by telephone conference. The CMD was intimated to the Respondent by Sheriff Officers on 17 December 2021

CMD

3. The CMD took place on 24 January 2022 at 14.00 by telephone conference. Neither Party took part. The Applicant was represented by Mrs. Ashley Duncan of the Applicant's Agents. The Respondent was not represented and did not submit any written representations.
4. Ms. Mill confirmed that the sum sought had risen to £4,901. 90 and explained that, although two further payments had been received, three payments of £550.00 had fallen due. As the Application provided that further sums would be claimed, the Tribunal amended the sum due to £4,901.90.
5. The Tribunal, having regard to Rule 17(4) of the Rules which states that the Tribunal "may do anything at a case management discussionincluding making a decision", proceeded to determine the Application on the information before it.

Findings in Fact.

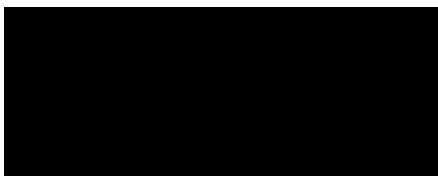
6. From the Application and the CMD, the Tribunal found the following:
 - i) There is a tenancy of the Property between the Parties;
 - ii) The monthly rent is £550.00;
 - iii) The Respondent has failed to pay the full rent since August 2020;
 - iv) Rent amounting to £4,901.90 is due and owing by the Respondent to the Applicant.

Decision of the Tribunal and Reasons for the Decision.

7. From the Findings in Facts, the Tribunal is satisfied that the sum of £4,901.90 is due and owing by the Respondent to the Applicant, and so, in terms of Rule 17(4) of the Rules, the Tribunal grants an Order for payment in that sum.

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.



24/01/2022

Legal Member/Chair

Date