

**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/21/2588

Re: Property at Flat 7, 38 Arbroath Road, Dundee, DD4 6EP (“the Property”)

Parties:

Mrs Helen Cargill, 8 Middlebank Crescent, Dundee, DD2 1HY (“the Applicant”)

**Mr Ross Heenan, Flat 7, 38 Arbroath Road, Dundee, DD4 6EP (“the
Respondent”)**

Tribunal Members:

Alison Kelly (Legal Member) and Tony Cain (Ordinary 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 £7022 should
be made.**

On 18th October 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.

Lodged with the application were:-

1. Copy Tenancy Agreement showing a start date of 28th June 2020 and dated 27th
June 2020 with rent due of £525 per calendar month;
2. Copy Notice to Leave dated 6th April 2020 with a leave date of 12th October 2021;
3. Non Resolution certificate from SDS Resolution
4. Rent Statement

On 24th November 2021 the application and Notice of Case Management Discussion
were served on the Respondent by Sheriff Officer.

On 3rd December 2021 the Applicant sent an email to the Tribunal intimating an amendment to the sum sought.

Case Management Discussion

The Case Management Discussion ("CMD") took place by teleconference. The Applicant represented herself. The Respondent did not call in and was not represented.

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

The Applicant told the Tribunal that she was seeking a payment order in the amount of £7022, being the sum due at the time the Amendment was intimated to the Tribunal. .

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 26th January 2016;
3. The rent was £525 per calendar month;
4. The arrears currently stand at £7022.

Reasons for Decision

The Respondent, at the date of the application, was in arrears of £7022.

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.

Legal Member: Alison Kelly

Date: 23rd December 2021

A. K

