



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 71(1) of the Private Housing
(Tenancies) (Scotland) Act 2016**

Chamber Ref: FTS/HPC/CV/21/2812

**Re: Property at 34 Gullion Park, East Kilbride, Glasgow, G74 4FE (“the
Property”)**

Parties:

Mr Jack Whitla, 2 Wattle Lane, East Kilbride, Glasgow, G75 9FQ (“the Applicant”)

Mr Ryan Gillies, Unknown, Unknown (“the Respondent”)

Tribunal Members:

Mary-Claire Kelly (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined to grant an order for payment in the sum of TWO
THOUSAND ONE HUNDRED AND NINETY-EIGHT POUNDS AND THIRTY-EIGHT
PENCE (£2198.38) with interest thereon at the rate of 8% from the date of this
decision.**

Background

1. By application dated 6th January 2022 the applicant seeks an order for payment of outstanding rent arrears together with interest thereon.
2. A copy of the tenancy agreement, rent account and documents relating to payment of the deposit were lodged with the application.
3. A case management discussion (“cmd”) took place on 28th March 2022. The applicant was represented by Mr Napier, solicitor, Jackson Boyd LLP. The cmd was adjourned at Mr Napier’s request for an updated rent account to be lodged.

Case management discussion – 30th May 2022 – teleconference

4. A cmd took place on 30th May 2022 by teleconference. The applicant was again represented by Mr Napier. The respondent was not present or represented. The respondent's current address is unknown. Service on the respondent was by advertisement in terms of rule 6A. The Tribunal was satisfied that the applicant had proper notice of the cmd and proceeded in his absence in terms of rule 29.
5. Mr Napier sought payment of the outstanding rent arrears which amounted to £2198.38 with interest from the date of the decision in terms of rule 41A.

Findings in fact

6. Parties entered into a Private Residential Tenancy Agreement with a commencement date of 19th June 2018.
7. The tenancy ended on 9th April 2021 when the respondent vacated the property.
8. Outstanding rent arrears at the end of the tenancy amounted to £2198.38.

Reasons for the decision

9. The Tribunal had regard to the written submissions and documents lodged in advanced of cmd, in particular the rent account and Mr Napier's representations at the cmd. The respondent did not defend the application. The Tribunal was satisfied that the sum sought was due and determined to award interest at the rate of 8% from the date of the order.

Decision

10. The Tribunal determined to grant an order for payment in the sum of £2198.38 plus interest at the rate of 8% from the date of this decision.

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.

MC Kelly

30 May 2022

Legal Member/Chair

Date