



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 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/21/3014

Re: Property at 20 Delaney Court, Alloa, Clackmannanshire, FK10 1RB (“the Property”)

Parties:

Mr Andrew Robertson, 17 Davaar Place, Newton Mearns, Glasgow, G77 6ST (“the Applicant”) per his agents, Jackson Boyd, 1st Floor, Centenary House, 69 Wellington Street, Glasgow G2 6HG (“the Applicant’s Agents”)

Mr Lewis Hutcheson, 20 Delaney Court, Alloa, Clackmannanshire, FK10 1RB (“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 ONE THOUSAND TWO HUNDRED AND SEVENTY FIVE POUNDS STERLING (£1,275.00) with interest at the rate of EIGHT per centum per annum (8%) be granted.

1. The Applicant’s Agents applied to the Tribunal for an Order for payment of rent arrears of arising from a tenancy between the Parties (“the Application”). The Application comprised a statement of rent due and owing by the Respondent to the Applicant. The Application was accepted by the Tribunal and a Case Management Discussion (the “CMD”) was fixed for 18 February 2022 at 11.30 by telephone conference call. The CMD was intimated to the respondent by Sheriff Officer on 12 January 2022.
2. Prior to the CMD the Applicant’s Agents amended the sum sought to £1,275.00 together with interest at 8% per annum. The amended Application was intimated to the Respondent.

CMD

3. The CMD took place on 18 February 2022 at 11.30 by telephone conference call. The Applicant took part and was represented by Ms. Lauren Tighe and Mr John McKeown of the Applicant's Agents. The Respondent did not take part and was not represented. He did not submit any written representations.
4. Ms. Tighe confirmed the sum sought is £1,275.00 together with interest at 8% per annum.

Findings in Fact

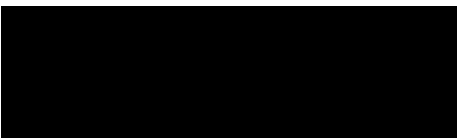
5. From the Application and the CMD, the Tribunal made the following findings in fact: -
 - i) There is a tenancy of the Property between the Parties at a monthly rent of £575.00.
 - ii) Rent amounting to £1,275.00 is outstanding and due and owing by the Respondent to the Applicant.

Decision

6. 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 discussionincluding making a decision" and so proceeded to make an order for payment in the sum of £1,275.00 together with interest at 8% per annum.

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/Chair

18 February 2022

Date