

**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/21/3035

**Property:** 19 Annfield Court, Kirkmuirhill ML11 9PR (“the Property”)

**Parties:** Mrs Victoria Forrest, Hoodshill Farm, Lesmahagow ML13 3PG (“the Applicant”)

and

Mr Matt King, 19 Annfield Court, Kirkmuirhill ML11 9PR (“the Respondent”)

**Tribunal Members:**

Mr Mark Thorley (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 by the respondent to the applicant in the sum of ONE THOUSAND EIGHT HUNDRED POUNDS (£1,800) be made.

**Background**

1. The applicant applied to the tribunal by application dated 1 December 2021 seeking an order for payment of outstanding rent in the sum of £1,500. Accompanying that application was a copy of the Lease, Rent Statement, letter sent to the tenant and Notice to Quit. The tenancy agreement was a Private Residential Tenancy Agreement. It was to commence on 1 September 2020 and rent was due in the sum of £400 per calendar month payable monthly and in advance.
2. There had been a previous case management discussion on 22 February 2022. The respondent did not attend at that. At that stage the applicant wished to amend the amount of rent due.
3. Subsequent to the amendment of the sum due the applicant had recovered the deposit from MyDeposit Scotland in the sum of £400

### **Case Management Discussion**

4. At the case management discussion the applicant attended on the teleconference. There was no appearance by or for the respondent.
5. The applicant spoke to the amount of rent outstanding which was £1,800. That was taking into account the recovered payment from MyDeposit Scotland in the sum of £400.

### **Findings in fact**

6. The parties entered into a Private Residential Tenancy Agreement for the property at 19 Annfield Court, Kirkmuirhill ML11 9PR with a commencement date of 1 September 2020 and with rent due to be paid in the sum of £400 per calendar month payable in advance.
7. The respondent has vacated the let property.
8. As at 20 April 2022 the amount of rent outstanding is £1,800.

### **Reasons for decision**

9. The applicant had produced all relevant documentation. There was an up to date Rent Statement. The Rent Statement disclosed an outstanding amount of rent as at 20 April 2022 of the sum of £1,800. This in fact had reduced from the time of the previous case management discussion taking into account payments made from MyDeposit Scotland and two other payments of £50.
10. The respondent had not lodged any written representations. The respondent had not attended at any case management discussion.
11. The application was accepted in terms of the evidence provided.
12. Accordingly an order for payment of £1,800 was made.

### **Decision**

13. To make an order for payment by the respondent to the applicant of the sum of ONE THOUSAND EIGHT HUNDRED POUNDS (£1,800).

### **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.**

**M. T**

**Legal Member: Mark Thorley**

**Date: 03/05/2022**