

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 16 of the Housing (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/21/3205

Re: Property at 96 Weir Street, Greenock, PA15 2HP (“the Property”)

Parties:

Mr Bruce Neale ta Jacobs and Neale Properties Limited, Mr Andre De Graffe-Jacobs ta Jacobs and Neale Properties Lt, 42 Lytton Road, Barnet, EN5 5BY (“the Applicant(s)”)

Miss Sarah Connor, 22 Douglas Brown Avenue, Ochiltree, KA18 2PP (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that:

Background

The Applicant seeks a Payment Order in the sum of £3,515.00 against the Respondent in respect of rent arrears said to have been accrued by the Respondent under a tenancy between the parties.

Case Management Discussion

The Application called for a Case Management Discussion (CMD) by conference call at 2 pm on 28 April 2022. The Applicant was represented by Mr Liam Anderson of Homefinders Estates and Letting Agents. Mr Neale from Jacobs and Neale Properties Ltd was also in attendance.

There was no appearance by or on behalf of the Respondent. The Application and information about how to join the conference call was competently served on the Respondent at her new address of 22 Douglas Brown Avenue, Ochiltree. The Tribunal therefore decided to proceed in the absence of the Respondent.

Having heard from Mr Anderson and having considered the Application, the Tribunal made the following findings in fact.

Findings in fact

- I. The Applicant has acquired the landlord's interest in the tenancy between Mr Neale and the Respondent which commenced on 14 November 2014;*
- II. The contractual monthly rent due under that tenancy was £565.00 plus vat;*
- III. The Respondent fell into rent arrears;*
- IV. As at today's date, the sum of £3,515.00 is lawfully due as rent by the Respondent to the Applicant but remains unpaid.*

Decision

Having made the above findings in fact, the Tribunal decided to grant the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £3,515.00.

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.



28 April 2022

Legal Member/Chair

Date