



**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/22/0091**

**Re: Property at 2 Torrance Avenue, East Kilbride, G75 0RN (“the Property”)**

**Parties:**

**Mr John Doubt, Miss Emma Banks, c/o Home Connexions, 21 St James Avenue,  
Hairmyres, East Kilbride, G74 5QD (“the Applicants”)**

**Mr Mohammed Sylla, Miss Julie McFadden, 2 Torrance Avenue, East Kilbride,  
G75 0RN (“the Respondents”)**

**Tribunal Members:**

**Alison Kelly (Legal Member) and Elizabeth Dickson (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order for payment should be granted.**

**Background**

The Applicant lodged an application on the 12<sup>th</sup> January 2022 under Rule 70 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of rent arrears.

Lodged with the application were :

1. Tenancy Agreement
2. Rent Statement

**Case Management Discussion**

The CMD took place by teleconference. The Applicants were represented by Mr Grant of Wright, Johnston & Mackenzie, the First Respondent represented himself and the Second Respondent was represented by Sean McPhee of the Legal Services Agency.

The accompanying eviction action was continued to a hearing and the Applicant's solicitor was content that this case be continued to a further CMD to take place at the same time.

On 24<sup>th</sup> June 2022 the Second Respondent's solicitor lodged with the Tribunal an email trail between them and the Letting Agent which confirmed that a payment of £9000 had been made towards the arrears and that the current outstanding balance was £5950.

### **Continued Case Management Discussion**

The continued CMD took place by teleconference. The Applicants were represented by Mr Grant of Wright, Johnston & Mackenzie, the First Respondent represented himself and the Second Respondent was represented by Miss Cochrane of the Legal Services Agency.

The Applicant's solicitor moved for a payment order in the amount of £5950. There was no objection as the sum was agreed.

### **Findings In Fact**

1. The parties entered in to a tenancy agreement for the property;
2. The monthly rent was £1350;
3. The Respondents made a payment of £9000 on 24<sup>th</sup> June 2022;
4. The arrears at the date of the Continued CMD were £5950.

### **Reasons For Decision**

The current arrears are £5950.

### **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.**

Alison Kelly

27<sup>th</sup> June 2022

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Legal Member/Chair

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Date

