



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Chamber Ref: FTS/HPC/CV/22/0119

**Re: Property at Flat 2/2 1415 Dumbarton Road, Glasgow, G14 9XS (“the
Property”)**

Parties:

**Mr Richard Sneddon, 6 Stamperland Gardens, Clarkston, Glasgow, G76 8HG
 (“the Applicant”)**

Mr Ross Boyle, Unknown, Unknown (“the Respondent”)

Tribunal Members: Virgil Crawford (Legal Member)

Decision (in absence of the Respondent)

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

BACKGROUND

1. By Lease dated 9th January 2021 the Applicant let the Property to the Respondent;
2. The start date of the tenancy was 1st February 2021. The tenancy ended on 7th January 2022;
3. Rent was payable at the rate of £625.00 per calendar month, payable monthly and in advance. Rental payments were made until 31st August 2021, the only rental payment made thereafter being the sum of £725.00 on 1st December 2021;
4. At the date of termination of the tenancy rent arrears existed in the amount of £1,918.84;

THE CASE MANAGEMENT DISCUSSION

5. The Applicant participated in the case management discussion. The Respondent did not. The Respondent did not participate in the Case Management Discussion. The Tribunal was previously unable to serve the proceedings upon the Respondent by Sheriff Officers. The Tribunal subsequently advertised the proceedings on the Tribunal website. The Tribunal was in receipt of a Certificate of Advertisement confirming that the

Respondent had been given lawful notice of the proceedings. In the circumstances the Tribunal was satisfied, in terms of Rule 24 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 that the Respondent had received intimation of the date and time of the Case Management Discussion and considered that it was appropriate to proceed with the Case Management Discussion in the absence of the Respondent in accordance with Rule 29 of said Rules;

6. The Applicant advised the Tribunal that no further rental payments have been made. In the circumstances, the Applicant moved the Tribunal to make an Order for payment of rent arrears;
7. The amount requested in the application was £1,931.25. The Applicant accepted that he had not properly assessed the amount due for the period from 1st January – 7 January 2022. The actual amount due was £1,918.84. The Applicant moved the Tribunal to make an order for payment in that amount and the Tribunal agreed to do so;

FINDINGS IN FACT

8. The Tribunal found the following facts to be established:-
 - a) By Lease dated 9th January 2021 the Applicant let the Property to the Respondent;
 - b) The start date of the tenancy was 1st February 2021. The tenancy ended on 7th January 2022;
 - c) Rent was payable at the rate of £625.00 per calendar month, payable monthly and in advance. Rental payments were made until 31st August 2021, the only rental payment made thereafter being the sum of £725.00 on 1st December 2021;
 - d) At the date of termination of the tenancy rent arrears existed in the amount of £1,918.84;
 - e) An amount in the sum of £1,918.84 is due, resting and owing by the Respondent to the Applicant.

DECISION

The Tribunal grants an Order for payment of the sum of ONE THOUSAND NINE HUNDRED AND EIGHTEEN POUNDS AND EIGHTY FOUR PENCE (£1,918.84) STERLING by the Respondent to the Applicant.

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.

V. Crawford

6th May 2022

Legal Member/Chair

Date