



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/22/0379

Re: Property at 10 Marmion Drive, Kirkintilloch, Glasgow, G66 2BQ (“the Property”)

Parties:

Mrs Sharon Edgar, Mr David Edgar, 43 Ann Crescent, Lenzie, Glasgow, G66 5HB; 43 Anne Crescent, Lenzie, Glasgow, G66 5HB (“the Applicants”)

Mr John McCue, 29 Friars Croft, Kirkintilloch, G66 2AT (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent is liable to make payment to the Applicants in the sum of ONE THOUSAND SIX HUNDRED AND THIRTY FOUR POUNDS AND THIRTY THREE PENCE (£1,634.33) STERLING

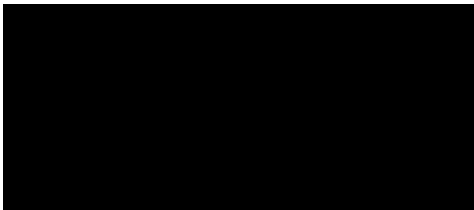
STATEMENT OF REASONS

1. This Application called for its Case Management Discussion on 3 November 2022 by teleconference call. The Applicants were represented by Ms Cooke. The Respondent was present on the call.
2. In this Application, the Applicants seek payment of a sum allegedly due by the Respondent as rent arrears. The Application sought payment of £2,599.29. However, at the outset of the CMD, Ms Cooke advised the Tribunal that the Applicants had recovered payment of the tenancy deposit from the Tenancy Deposit Scheme. For that reason, the sum due had reduced to £1,634.33, and the Applicants were seeking a payment order in that reduced sum.

3. The Respondent confirmed that he did not dispute that the sum of £1,634.33 was due by him to the Applicants. He accepted that he was in rent arrears in that sum.
4. Accordingly, the Tribunal determined that the Respondent was under contractual obligation to make payment to the Applicants in the sum of £1,634.33. The Tribunal granted a payment order in that sum.

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: Andrew Upton

Date: 3 November 2022