



**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/22/0741

Re: Property at Flat 0/1, 1919 Maryhill Road, Glasgow, G20 0BY (“the Property”)

Parties:

Mrs Anne Clackson, Mr Colin Beveridge, Ian McKelvie, Flat 2/1, 88 Hyndland Road, Glasgow, G12 9PZ; 2/3, 47 Braeside St, Glasgow, G20 6QT; Flat 6, 3 Dyke Road, Glasgow, G14 0JH (“the Applicants”)

**Mr William McKay, 10/4, 60 Kingsway Court, Glasgow, Lanarkshire, G14 9TA
 (“the Respondent”)**

Tribunal Members:

Richard Mill (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order be made against the Respondent for payment to the Applicants of the sum of Fourteen Thousand Six Hundred and Sixty Eight Pounds and Twenty Three Pence (£14,668.23) with interest thereon at the rate of 3% per annum running from 14 July 2022, until payment

Introduction

This is an application under rule 70 and section 16 of the Housing (Scotland) Act 2014.

Intimation of the application and of the Case Management Discussion (CMD) took place upon the respondent by Sheriff Officers on 24 May 2022.

The CMD took place by teleconference at 10.00 am on 14 July 2022.

The applicant was represented by Miss Kirstie Donnelly of Messrs T C Young Solicitors. The respondent failed to participate in the hearing.

FINDINGS AND REASONS

The property is Flat 0/1, 1919 Maryhill Road, Glasgow G20 0BY.

The applicants are Mrs Anne Clackson, Mr Colin Beveridge and Mr Ian McKelvie. They are the joint heritable proprietors of the property. (A fourth owner, Ms Sheila Beveridge is deceased). They are the former landlords.

The respondent is Mr William McKay. He is the former tenant.

The parties entered into a short assured tenancy which commenced on 29 July 2016. The monthly rent was stipulated at £450 per calendar month.

The respondent vacated the property on 29 May 2021. Throughout the duration of the tenancy he fell into arrears of the contractual rental payments.

As at the date that the respondent vacated the property, there remained a total of £15,218.23 in rent arrears. This is fully supported by a detailed rent account statement which the tribunal found a credible and reliable source of documentary evidence and attached weight to.

The deposit paid previously in the sum of £550 has been deducted from the sums outstanding, leaving a balance of £14,668.23.

The applicant is entitled to recover arrears of rent under and in terms of the lease.

The respondent has not opposed the application and has made no time to pay application.

The tribunal made a Payment Order in the sum of £14,668.23. The applicant also seeks interest from the date of decision. The tribunal awarded interest at the rate of 3% per annum.

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.



14 July 2022

Legal Member/Chair

Date