



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/22/0837

Re: Property at 85 Myers Court, Uddingston, G71 7FL (“the Property”)

Parties:

Innov8 Housing Solutions, C/O 50 Scott Street, Motherwell, ML1 1PN (“the Applicant”)

Mr Edward Liddle, 9 Archerfield Drive, Glasgow, G32 8ET (“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 Applicant of the sum of Eight Hundred and Thirteen Pounds and Eighty One Pence (£813.81)

Introduction

This is an application under rule 111 and section 71 of the Private Housing (Tenancies) (Scotland) Act 2016.

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 2.00 pm on 14 July 2022.

The applicant was represented by Miss Carol Sanderson of Clyde Valley Property Services. The respondent failed to participate in the hearing.

Findings and Reasons

The property is 85 Myres Court, Uddingston G71 7FL.

The applicant is Innov8 Housing Solutions Limited. This company is the heritable proprietor of the property and the registered landlord. The respondent is Mr Edward Liddle who is the former tenant.

The parties entered into a private residential tenancy which commenced on 11 November 2020. The rent was stipulated at £495 per month.

The respondent vacated the property on 10 April 2021. Throughout the duration of the tenancy he fell into arrears of the contractual rental payments. Additionally, when he left the property, various items were left within the property which required to be removed, and some damage was noted; the costs of which are rechargeable to the respondent in terms of the tenancy agreement entered into.

The application is supported by a detailed rent account statement disclosing the sums of rent and other charges which fell due and all monies received. The additional costs paid by the applicant to a third party contractor, Timetra Ltd, are also vouched. The tribunal found all of this documentary evidence credible and reliable and attached weight to it.

The amount sought in this application is £813.81. This comprises the remaining rent arrears of £530 together with the rechargeable items comprising the removal costs and repair costs (damage to lounge wall) which totalled £283.81, including VAT. The respondent refuses or delays to make payment.

The applicant is entitled to recover arrears of rent and other charges lawfully due under and in terms of the lease. The respondent has not opposed the application and has made no time to pay application.

A payment order for the sum sought is accordingly necessary.

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.

R. Mill

14 July 2022

Legal Member/Chair

Date