



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 “The Act”

Chamber Ref: FTS/HPC/CV/22/1260

Re: Property at 10 Royal British House, 113 Leonard Street, Perth, PH2 8HA (“the Property”)

Parties:

Mrs Mary Borges, 3 Bridgend, Dalry, North Ayrshire (“the Applicant”)

Mr Innes Allan, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £500.00 with interest running at the rate of 5 per cent from today’s date until payment.

Background

The Applicant seeks a Payment Order in the sum of £500.00 for rent arrears said to be due to the Applicant under a tenancy between the parties. The Application is accompanied by a copy of the tenancy agreement and evidence in support of the Application in the form of rent statements.

The Case Management Discussion

The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 31 May 2023. The Applicant was represented by Ms McNicol of MacNabs Solicitors. There was no appearance by or on behalf of the Respondent. The Application and information about how to join the CMD had been served on the Respondent by means of advertisement on the Tribunal's website, as the Respondent's address could not reasonably be located. Having considered the Application and having heard from Ms McNicol, the Tribunal made the following findings in fact.

Findings in Fact

- I. The parties entered into a tenancy agreement whereby the Applicant let the Property to the Respondent on a Private Residential Tenancy;
- II. The Respondent vacated the Property with rent arrears in the sum of £500.00;

Reasons for Decision

Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £500.00 with interest running at the rate of 5 per cent from today's date until payment.

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.

Andrew McLaughlin

Legal Member/Chair

31st May 2023
Date