



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/22/1394

Property : 22 Douglasdale, East Kilbride, Glasgow G74 1DE (“Property”)

Parties:

Dorothy Foy, 9 Killin Place ,Troon KA10 6PE (“Applicant”)

Wallace Hodge & Co Ltd, 6 Killoch Place, Ayr KA7 2EA (“Applicant’s Representative”)

Janice Woodside, 22 Douglasdale, East Kilbride, Glasgow G74 1DE (“Respondent”)

Tribunal Members:

**Joan Devine (Legal Member)
Elaine Munroe (Ordinary Member)**

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £2775 should be made.

Background

The Applicant sought an order for payment in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Private Residential Tenancy Agreement dated 7 July 2020; a schedule of rent arrears as at May 2022 and sheriff officer’s execution of service certifying service of the Application on 5 September 2022.

Case Management Discussion

A case management discussion took place before the Tribunal on 20 October 2022 by teleconference. Norman Fraser of the Applicant’s Representative was in attendance. There was no appearance by the Respondent. Mr Fraser told the Tribunal that the arrears remained at the level set out in the application. He said that the

Respondent was now in receipt of benefits of £375 per month which were being paid direct to the Applicant.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a Tenancy Agreement which commenced on 7 July 2020 ("Tenancy Agreement").
2. In terms of the tenancy agreement the rent was £450 per month.
3. The Respondent failed to pay the rent in full for the period 7 October 2021 to 7 May 2022. The unpaid amount was £2775.
4. Notice of the date of the case management discussion had been given to the Respondent on 5 September 2022.

Reasons for the Decision

The Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £450 per month. The Respondent had failed to pay the rent in full for the period 7 October 2021 to 7 May 2022.

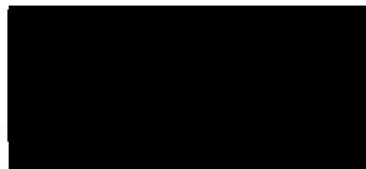
Decision

The Tribunal grants an order for payment of £2775.

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:



Date : 20 October 2022