



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/22/1606

Property : 11 Dura Park, Glenrothes, KY7 5EF (“Property”)

Parties:

Fiona Soutar, Woodlands House, Markinch, Fife KY7 6HE (“Applicant”)

Soutar Property Ltd, Woodlands House, Markinch, Fife KY7 6HE (“Applicant’s Representative”)

Collette Cummings, WHEREABOUTS UNKNOWN (“Respondent”)

Tribunal Members: Joan Devine (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £3,745.23 should be made.

Background

The Applicant sought an order for payment of £3,745.23 in respect of arrears of rent. The Applicant had lodged Form F. The documents produced were: a Private Residential Tenancy Agreement which commenced on 6 January 2020; statement of rent arrears; and a certificate evidencing service by advertisement on the Tribunal website from 26 July 2022 to 29 August 2022.

Case Management Discussion

A case management discussion (“CMD”) took place before the Tribunal on 29 August 2022 by teleconference. The Applicant was in attendance. There was no appearance by or on behalf of the Respondent. Ms Soutar told the Tribunal that the arrears had built up since March 2021. She said that the tenancy terminated in February 2022 and that she had no communication from the Respondent since April 2022.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a Tenancy Agreement for the Property which commenced on 6 January 2020.

2. The rent in terms of the Tenancy Agreement was £410 per month.
3. The Respondent had failed to pay the rent in full for the period 6 March 2021 to 18 February 2022 totalling £3,745.23.

Reasons for the Decision

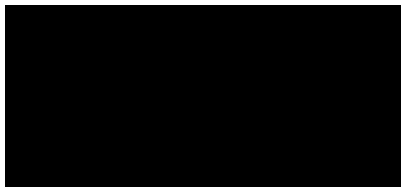
The Tribunal determined to make an Order for payment of £3,745.23. Rent was due in terms of the Tenancy Agreement had not been paid in full for the period 6 March 2021 to 18 February 2022.

Decision

The Tribunal grants an order for payment of £3,745.23.

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: Joan Devine

Date : 29 August 2022