



**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/22/1620

**Re: Property at 180 Crosslet Road, Silverton, Dumbarton, G82 2LH (“the
Property”)**

Parties:

Mr Scott Mackie, 20 Mansewood Drive, Dumbarton, G82 3ET (“the Applicant”)

**Mr Craig Harroway, Miss Ruth Bracegirdle, 37 Tontine Park, Renton, G82 4LP
 (“the Respondents”)**

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 Respondents for
payment to the Applicant of the sum of Six Hundred and Eighty Nine Pounds
and Eighty Six Pence (£689.86)**

Introduction

This is an application in which the applicant seeks a Payment Order to recover arrears of rent.

Service of the application and intimation of the Case Management Discussion (CMD) was made upon the respondent by Sheriff Officers for delivery on 30 August 2022.

The CMD took place by teleconference on 12 October 2022 at 10.00 am.

The applicant represented his own interests. The respondents failed to participate in the teleconference hearing.

Findings and Reasons

The property is 180 Crosslet Road, Silverton, Dumbarton G82 2LH.

The applicant is Mr Scott Mackie. He is the heritable proprietor and landlord of the property. The respondents are Miss Ruth Bracegirdle and Mr Craig Harroway. They are the former tenants.

The parties entered into a short assured tenancy which commenced on 10 June 2016. The monthly rent was stipulated at £395 per month. A deposit in the sum of £396 was paid prior to the tenancy commencing. The tenancy came to an end on 10 January 2022.

During the duration of the lease, the respondents failed to make all relevant payments of rent. A rent statement vouching the arrears has been produced which disclosed the details of the arrears. The rent statement was administered by the applicant's letting agents, Caledonia Bureau. The total arrears as at the end of the lease totalled £689.86.

The applicant is entitled to recover arrears of rent lawfully due under the lease.

A Payment Order is necessary as the respondents refuse or unreasonably delay to make the necessary rent payments due to the applicant.

The respondents have made a time to pay direction application in which they admit the claim and seek to repay the total sum of £689.86 at the rate of £30 per month. At this rate the sum will take less than two years to pay off.

The applicant has agreed to the time to pay application. The Tribunal finds that it would be reasonable to make a time to pay direction in the sum of £30 per month.

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.

Richard Mill

12 October 2022

Legal Member/Chair

Date