



**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/22/1716**

**Property : 5 Udston Terrace, Hamilton ML3 9HU (“Property”)**

**Parties:**

**Abdul Majid, 26 Cadzow Street, Hamilton ML3 6DG (“Applicant”)**

**Excel Letting Ltd, 26 Cadzow Street, Hamilton ML3 6DG (“Applicant's Representative”)**

**Christopher McPhee, 5 Udston Terrace, Hamilton ML3 9HU (“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 £1,650 should be made.**

**Background**

The Applicant sought an order for payment of £1,650 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 August 2020; statement of rent arrears; and sheriff officer's execution of service certifying service of the Application on 25 July 2022.

**Case Management Discussion**

A case management discussion (“CMD”) took place before the Tribunal on 25 August 2022 by teleconference. Joanne Smith of the Applicant's Representative were in attendance. There was no appearance by or on behalf of the Respondent.

Ms Smith told the Tribunal that the Respondent fell into arrears in September 2021. Repayment arrangements were offered by the Applicant. The Respondent agreed to a repayment arrangement. A payment of £850 was received from the tenant grant scheme. The Respondent did not adhere to the arrangement. The arrears were now £1,650. A notice to leave had been issued and expired soon.

### **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 August 2020.
2. The rent in terms of the Tenancy Agreement was £450 per month.
3. The Respondent had failed to pay the rent in full for the period 6 March 2022 to 6 June 2022 totalling £1,650.

### **Reasons for the Decision**

The Tribunal determined to make an Order for payment of £1,650. Rent was due in terms of the Tenancy Agreement had not been paid in full for the period 6 March 2022 to 6 June 2022.

### **Decision**

The Tribunal grants an order for payment of £1,650.

### **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 : 25 August 2022**