



**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/22/2218**

**Re: Property at Flat 0/1, 66 Cloan Ave, Glasgow, G15 6AD (“the Property”)**

**Parties:**

**Mr Patrick McDonald, 56 Peel Glen Road, Glasgow, G15 7XR (“the Applicant”)**

**Miss Cheryl Connelly, Flat 0/1, 66 Cloan Ave, Glasgow, G15 6AD (“the Respondent”)**

**Tribunal Members:**

**Andrew Upton (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent is liable to make payment to the Applicant in the sum of TWO THOUSAND NINE HUNDRED AND FIFTY POUNDS (£2,950.00) STERLING**

**STATEMENT OF REASONS**

1. This Application called for its Case Management Discussion by teleconference call on 10 October 2022. The Applicant was represented by Ms Gabriel. The Respondent was not present or represented on the call.
2. This is an Application for payment of sums allegedly due by the Respondent as rent arrears. By email dated 29 September 2022, the Applicant lodged an updated rent schedule and sought to amend the Application by increasing the sum sued for from £1,650 to £2,950.
3. In terms of Rule 17(4) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017, the Tribunal may do anything at a CMD that it may do at a Hearing, including make a decision. In terms of

Rule 2, the Tribunal must have regard to the overriding objective to deal with proceedings justly when making a decision; including by avoiding unnecessary delay.

4. The Respondent has been afforded with an opportunity to appear at the CMD and dispute the assertions made by the Applicant in the Application. She has chosen not to do so. In the circumstances, the Tribunal is satisfied that the Respondent does not dispute the Application, and in particular that she has failed to make payment of rent as asserted by the Applicant.
5. Accordingly, the Tribunal allowed the Application to be amended by increasing the sum sued for from £1,650 to £2,950. Thereafter, the Tribunal granted the order for payment in that sum.

### **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 Upton

10/10/2022

Legal Member/Chair

Date