



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/22/2277**

**Re: Property at 14 Precinct Street, Coupar Angus, Blairgowrie, PH13 9DG (“the Property”)**

**Parties:**

**Mr Peter Roy Watson, 79 Glengate, Kirriemuir, DD8 4JG (“the Applicant”)**

**Ms Stephanie Kerr, Unknown, Unknown (“the Respondent”)**

**Tribunal Members:**

**Alastair Houston (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order of payment of £4575.00 be made in favour of the Applicant.**

**1. Background**

- 1.1 This is an application under Rule 111 of the Chamber Rules, being an application for payment of rent arrears which allegedly accrued during a private residential tenancy agreement between the parties.
- 1.2 The application was accompanied by copies of the written tenancy agreement between the parties and a letter dated 1 June 2022 from the Applicant to the Respondent.
- 1.3 No representations had been lodged by the Respondent.

**2. The Case Management Discussion**

- 2.1 The Case Management Discussion took place on 10 January 2023 by teleconference. The Applicant was represented by Ms McNicol of Macnabs solicitors. The Respondent was neither present nor represented.

2.2 Ms McNicol confirmed that the application was insisted upon. The Tribunal noted that the application had been served on the Respondent by advertisement, given her current whereabouts were not known. Accordingly, the Tribunal deemed it appropriate to proceed in the Respondent's absence as permitted by Rule 29 of the Chamber Rules.

2.3 Ms McNicol confirmed that the sums of rent claimed had gone unpaid between September 2019 and July 2022, as per the breakdown attached to the letter of 1 June 2022, with a further £475.00 due in respect of the month of July 2022. The tenancy had now come to an end and the Respondent had vacated the property during August 2022. The total sum sought was £4575.00.

### **3. Reasons For Decision**

3.1 The rent due under the tenancy agreement between the parties was £475.00 per calendar month. The letter to the Respondent of 1 June 2022 detailed the period of time over which the arrears had arisen. In the absence of any representations by the Respondent as to why the sum sought should not be due, the Tribunal considered that the order for payment should be granted.

### **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.**

**Alastair Houston**

**Alastair Houston  
Legal Member/Chair**

**10 January 2023  
Date**