



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/22/2795

Re: Property at 70 Finella Gardens, Dundee, DD4 9HU (“the Property”)

Parties:

Premier Property Investments, 415 King Street, Dundee, DD5 2HA (“the Applicant”)

Mr Mark Taylor, Shauni Fraser, 70 Finella Gardens, Dundee, DD4 9HU; 70 Finella Gardens, Dundee, DD4 9HU (“the Respondents”)

Tribunal Members:

Nairn Young (Legal Member) and Elizabeth Currie (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- Background
1. This is an application for an order for payment of rent arrears alleged to be owed by the Respondents in terms of their occupation of the Property under a private residential tenancy agreement with the Applicant. It called for a case management discussion (‘CMD’) at 10am on 12 May 2023, by teleconference. The Applicant was represented on the call by Mr Greg Gardiner of Easylets Ltd.. The Respondents were not on the call in person and were not represented. Their previous representative had indicated that it was withdrawing from acting shortly before the CMD. The Tribunal was satisfied

that they were aware of the CMD and had chosen not to attend: and that it was therefore fair to proceed in their absence.

- Findings in Fact

2. The Respondents let the Property from the Applicant in terms of private residential tenancy with a start date of 20 July 2018.
3. In terms of that agreement, rent of £595 is payable every month.
4. On 9 August 2022 (when the application was made), the Respondents had accrued £1,785 of rent arrears.
5. On the date of the CMD, the amount outstanding had risen to £2,060.

- Reasons for Decision

6. The Applicant had not applied to amend the sum sought; but the Tribunal was satisfied that at least the amount of £1,785 was owed by the Respondents to the Applicant. An order for payment of that amount should therefore be made.

- Decision

Order made for payment by the Respondents to the Applicant of the sum of ONE THOUSAND, SEVEN HUNDRED AND EIGHTY-FIVE POUNDS STERLING (£1,785).

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.

Nairn Young

12 May 2023

Legal Member/Chair

Date