



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/22/2919

Re: Property at 32 Fulwood Avenue, Glasgow, G13 4AB (“the Property”)

Parties:

Mr James Nash, 6 Rowantree Avenue, Currie, Edinburgh, EH14 5AU (“the Applicant”)

Mr Bartosz Konieczny, 32 Fulwood Avenue, Glasgow, G13 4AB (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member)

Decision (in absence of the Respondent)

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

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent to the Applicant in terms of his private residential tenancy at the Property. It called for a case management discussion (‘CMD’) at 11:30am on 29 November 2022, by teleconference. The Applicant was represented at the conference by Mr Matthew Mouat, of Western Lettings Ltd.. The Respondent did not call in and was not represented on the call. The commencement of the CMD was delayed for a period of 10 minutes to allow for any technical difficulty he may have been experiencing, however there was no contact from him.

The application was served on the Respondent by sheriff officers on 21 October 2022. The Tribunal was satisfied that the Respondent was aware of the CMD, but had chosen not to attend and that it was therefore fair to proceed in his absence.

- Findings in Fact

1. The Applicant lets the Property to the Respondent in terms of a private residential tenancy with a start date of 4 March 2019.
2. In terms of the tenancy agreement rent of £550 is payable on the 4th day of each month.
3. As of 4 August 2022, the Respondent owed £1,600 in rent arrears.
4. The Respondent has not made any payment towards the arrears to date.

- Reasons for Decision

5. The Respondent owes the Applicant the amount sought and an order for payment of that amount should be made.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of £1,600 (ONE THOUSAND, SIX HUNDRED POUNDS STERLING).

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.

N. Young

29/11/2022

Legal Member/Chair

Date