



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)  
Act 2014**

**Chamber Ref: FTS/HPC/CV/22/4141**

**Re: Property at 55 Kingsfield, Linlithgow, West Lothian, EH49 7SL (“the  
Property”)**

**Parties:**

**Mr Gary Clinton, 46 St Magdalenes, Linlithgow, EH49 6AQ (“the Applicant”)**

**Mrs Karen Anderson, 55 Kingsfield, Linlithgow, West Lothian, EH49 7SL (“the  
Respondent”)**

**Tribunal Members:**

**Alison Kelly (Legal Member) and Ann Moore (Ordinary Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order for payment should be made.**

**Background**

The Applicant lodged an application on 16<sup>th</sup> November 2022 under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.

Lodged with the Application were:

1. Copy Tenancy Agreement commencing 1<sup>st</sup> September 2021 showing a monthly rent of £675
2. Rent Statement
3. Deposit Certificate

The Application was served on the Respondent by Sheriff Officer on 22<sup>nd</sup> November 2022.

## **Case Management Discussion**

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was present, and was represented by Mr John McKeown, Trainee Solicitor, of Jackson Boyd, Solicitors. The Respondent did not attend and was not represented.

The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.

Mr McKeown said that at the time of lodging the application the arrears were £6400 and he asked that an order be granted for payment in that amount. He sought interest at the rate of 3%.

## **Findings in Fact**

1. The parties entered in to a tenancy agreement for rent of the property;
2. The monthly rent was £675;
3. On 16<sup>th</sup> November 2022 the rent arrears owed were £6400;
4. Interest at the rate of 3% is reasonable.

## **Reasons for Decision**

The Respondent owes rent to the Applicant as at 16<sup>th</sup> November 2022 in the amount of £6400.

## **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.**

Alison Kelly

Legal Member/Chair

12 December 2022

Date