



**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/22/4168**

**Re: Property at 4B, Moss Vale, Paisley, PA3 2LR (“the Property”)**

**Parties:**

**Greywalls Property Limited, 16 Truss Hill Road, Ascot, SL5 9AL (“the Applicant”)**

**Miss Natasha Turnbull, UNKNOWN, UNKNOWN (“the Respondent”)**

**Tribunal Members:**

**Alison Kelly (Legal 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 18<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 for rent arrears and damage to property. He wished to restrict his claim to £5000 despite the total he considered to be due was £7914.

Lodged with the Application were:

1. Copy Private Residential Tenancy commencing 15<sup>th</sup> January 2021 with a rent of £625 per month
2. Rent Statement showing arrears of £7139 at the end of the tenancy in October 2022
3. Invoice for work carried out to repair the property

The Application was served on the Respondent by Sheriff Officer personally on 14<sup>th</sup> April 2023.

## **Case Management Discussion**

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was represented by Mr Driver, Director and owner. 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 asked that an order be granted for payment in the amount of £5000 as per his application form. He said that he was restricting the sum he was seeking as he did not want to put too big a burden on the Respondent. As this sum was less than the total amount of arrears there was no need to discuss the repairs.

## **Findings in Fact**

1. The parties entered in to a tenancy agreement for rent of the property;
2. The monthly rent was £625;
3. An eviction order under reference was granted and the Respondent left the property in October 2022;
4. When the Respondent left the rent arrears owed were £7139.

## **Reasons for Decision**

The Respondent owes rent to the Applicant in the amount of £7139. The Applicant wishes to restrict that sum to £5000.

## **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.**

A Kelly

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Legal Member

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Date: 22/05/2023