



**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/22/4282

Re: Property at 146 Muirhouse Avenue, Motherwell, ML1 2LB (“the Property”)

Parties:

**Mr Darren Miller, Ms Ailie Margaret Taggart, Police House, Dalmally, Argyle,
PA33 1AX; Police House, Dalmally, PA33 1AX (“the Applicant”)**

**Miss Karen Small, 2 Overdale Place, Overtown, Wishaw, ML2 0QW (“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**

Background

The Applicant lodged an application on 29th November 2022 under Rule 70 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 Short Assured Tenancy dated 20th July 2016 and showing a rent of £550 per month
2. Rent Statement

The Application was served on the Respondent by Sheriff Officer on 23rd May 2023.

The Applicant sent an email to the Tribunal on 23rd June 2023 saying that she was not disputing the rent but would not be attending due to mental health issues.

Case Management Discussion

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was represented by Ms McCaughey of Clyde Valley Lets.. 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.

Ms McCaughey asked that an order be granted for payment, in the amount of £7598.23, being the sum due as shown on the rent statement and being the arrears due as at 1st March 2023.

Findings in Fact

1. The parties entered in to a tenancy agreement for rent of the property;
2. The monthly rent was £550;
3. On 1st March 2023 the rent arrears owed were £7598.23.

Reasons for Decision

The Respondent owes rent to the Applicant as at 1st March 2023 in the amount of £7598.23.

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

23 June 2023

Legal Member/Chair

Date