



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/22/4299

Property Address: 33A Grosvenor Place, Aberdeen AB25 2RE (“the property”)

The Parties: Mr Andrew Buchan, 1 Belvider Street, Aberdeen AB25 2QS (“the applicant”)

Mrs Jennifer Clark, 37 Seaview Caravan Park, Bridge of Don, Aberdeen AB23 8BR (“the respondent”)

Tribunal members:

Mr Mark Thorley (Legal)

Decision (in absence of respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’) determined that an order for payment by the respondent to the applicant in the sum of £2,944.82 be made.

Background

1. The applicant applied to the First-tier Tribunal for Scotland (“the tribunal”) by application dated 1 December 2022. Accompanying that application were the following documents:-
 - (a) Lease Agreement
 - (b) Rent Statement
2. The application was received by the tribunal on 2 December 2022.
3. Thereafter the tribunal sought further information.

4. Further information was provided. On 10 January 2023 the application was accepted for determination.
5. The application was then served by sheriff officers on the respondent on 2 February 2023.

Case Management Discussion

1. At the case management discussion Mr Buchan from Winchester Lettings Ltd attended.
2. The respondent did not attend.
3. Mr Buchan was able to confirm that the rent statement was accurate. The respondent had vacated the premises. Following upon the termination of the lease the applicant had recovered the rent deposit. That had reduced the outstanding rent to the sum of £2,944.82 which was the sum outstanding.

Findings in Fact

1. The parties entered into a Lease Agreement for the rental of the property at 33A Grosvenor Place, Aberdeen AB25 2RE by rental agreement. Rent was due to paid at the rate of £630 per calendar month payable monthly and in advance.
2. At the date of the application the sum of £2,944.82 was outstanding.

Reasons for Decision

1. The paperwork which was provided to the tribunal was in order. The applicant's representative confirmed the position. There had been an attempted dialogue with the respondent. No proposals have been made.
2. The rent continued to be outstanding.
3. The tribunal accepted the evidence provided in written and oral form.

Decision

To make an order against the respondent for payment to the applicant in the sum of £2,944.82.

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.

M Thorley

7 March 2023

Legal Member/Chair

Date