



**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/23/0061

**Re: Property at 17 Durness Avenue, Bearsden, Glasgow, G61 2AH (“the
Property”)**

Parties:

**Sadco Properties Limited, 2 Methven Avenue, Bearsden, Glasgow, G61 2AX
(“the Applicant”)**

**Mr Bradley McKay, Mrs Gillian McKay, 13 Burnmouth Place, Bearsden,
Glasgow, G61 3PG (“the Respondents”)**

Tribunal Members:

Ms H Forbes (Legal Member)

Decision (in absence of the Respondents)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order for payment should be granted in favour of
the Applicant in the sum of £7,200.**

Background

1. By application received on 9th January 2023, and made under Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, as amended (“the Rules”), the Applicant applied for an order for payment in the sum of £7,200 in respect of unpaid rent. The Applicant lodged a private residential tenancy agreement between the parties which commenced on 1st June 2019, and a rent statement.
2. Parties were notified of a Case Management Discussion (“CMD”) to take place on 5th April 2023. By emails dated 20th and 24th March 2023, the Respondent, Mr McKay, requested that the Case Management Discussion be postponed to late May 2023 for health reasons. A medical letter was provided. The Tribunal agreed to grant the application for postponement on cause shown.
3. Parties were notified on 26th April 2023 of a further CMD set down for 22nd May 2023.

The Case Management Discussion

4. A CMD took place by telephone conference on 22nd May 2023. The Applicant was not in attendance, and was represented by Ms Julianna Keegan. The Respondents were not in attendance.
5. The Tribunal considered the terms of Rule 29. The Tribunal determined that the requirements of Rule 17(2) had been satisfied, and it was appropriate to proceed with the application in the absence of the Respondents.
6. The Applicant said there had been no recent contact from the Respondents. The tenancy ended on or around 26th April 2022. The Respondents failed to pay rent due in the sum of £7,200.

Findings in Fact and Law

7.
 - (i) Parties entered into a private residential tenancy agreement that commenced on 1st June 2019 and ended on or around 26th April 2022, with rent due in the sum of £1200 per month.
 - (ii) Rent lawfully due in terms of the tenancy agreement has not been paid by the Respondents.
 - (iii) The Applicant is entitled to recover rent lawfully due.

Reasons for Decision

8. The Respondents have failed to make payment of rent lawfully due. The Applicant is entitled to recover rent lawfully due in terms of the tenancy agreement between the parties.

Decision

9. An order for payment is granted in favour of the Applicant in the sum of £7,200.

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.

H Forbes

Legal Member/Chair

22nd May 2023
Date