

Housing and Property Chamber
First-tier Tribunal for Scotland



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/23/0091

Re: Property at 220 Flat 3/21 Wallace Street, Glasgow, G5 8AH (“the Property”)

Parties:

8 Investments Scotland Ltd, 47 Ayton Road, Glasgow, G41 5HW (“the Applicant”)

Mr Hasan Iqbal, 220 Wallace Street, Flat 3/21, Glasgow, G5 8AH (“the Respondent”)

Tribunal Members:

Nicola Irvine (Legal Member) and Ann Moore (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted an Order for Payment against the Respondent in favour of the Applicant in the sum of £5,730.

Background

1. The Applicant submitted an application under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017. The Applicant sought an order for payment in respect of rent arrears said to have been incurred by the Respondent.
2. Case management discussions (“CMD”) took place on 25 April 2023 and 23 June 2023. The Tribunal issued Notes and Notices of Direction following those CMDs.
3. On 15 September 2023 the Tribunal received an updated rent statement from the Applicant, along with an amended form F.

The Hearing – 28 September 2023

4. The Hearing took place by conference call. The Applicant was represented by Mrs McLelland of Castle Residential, and the Respondent represented himself. This case called alongside a related case which proceeds under chamber reference FTS/HPC/EV/23/0088.
5. The Tribunal noted that the rent arrears have increased to £5,730. The Respondent accepted that the rent statement was accurate and that the arrears have increased. He explained that he had lost his job since the last CMD but gained new employment on 15 September 2023. He has saved £1,500 and can pay that sum today. In addition, the Respondent proposed making payments of £1,000 on 1 October 2023, £2,500 on 1 November and £2,500 on 1 December. The Respondent will receive some money from his wife and from his father in order to pay the proposed sums. The Respondent was confident that he could pay the arrears in full within the next 3 months.

Findings in Fact

6. The parties entered into a private residential tenancy which commenced 17 December 2019.
7. The Applicant's representative served a Notice to Leave on the Respondent by recorded delivery post on 24 November 2022.
8. The Respondent has incurred rent arrears of £5,730.

Reason for Decision

9. The Tribunal proceeded on the basis of the documents lodged and the submissions made at the Hearing.
10. The Tribunal noted that the Respondent accepted that the sum of £5,730 is due. The Tribunal was satisfied that the sum is due and therefore granted the order for payment in favour of the Applicant.

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.

Nicola Irvine

Legal Member/Chair

28 September 2023
Date
