



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/23/0306

Re: Property at 18 Brucefield Feus, Dunfermline, Fife, KY11 4AA (“the Property”)

Parties:

Mr Michael Deeprise, 1 Bow Butts, Markinch, Glenrothes, Fife, KY7 6DY (“the Applicant”)

Miss Kirsty McIntosh, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £1,989.34 with interest on that sum at the rate of eight percent from today’s date until payment.

Background

[1] The Applicant seeks a Payment Order against the Respondent in respect of rent arrears said to have been accrued under a tenancy between the parties.

The Application is accompanied by a copy of the tenancy agreement and a rent statement. The Respondent’s whereabouts could not reasonably be established and permission for service of the Application on her by means of advertisement on the Tribunal website had been granted and effected.

The Case Management Discussion

[2] The Application called for a Case Management Discussion by conference call at 2pm on 29 August. Ms Wooley of Bannatyne Kirkwood France and Co represented the Applicant. There was no appearance by or on behalf of the Respondent. Having heard from Ms Wooley, the Tribunal made the following findings in fact.

Findings in Fact

- I. *The parties entered into a tenancy agreement whereby the Applicant let the Property to the Respondent by virtue of a Private Residential Tenancy;*
- II. *The contractual monthly rent was £540.00;*
- III. *The Respondent fell into rent arrears and the sum of £1,989.34 is lawfully due as rent arrears by the Respondent to the Applicant;*

Decision

[3] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £1,989.34 with interest on that sum at the rate of eight percent from today's date until payment.

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.

Andrew McLaughlin

Legal Member/Chair

29 August 2023

Date

