

**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 (“the Act”) and Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)**

**Chamber Ref: FTS/HPC/CV/23/0420**

**Re: Property at 22 Moidart Place, Craigton, G52 1BA (“the Property”)**

**Parties:**

**Mrs Linda McGhee, 16 Emville Avenue, Leeds, LS17 8BB (“the Applicant”) per her agents, Jackson Boyd Lawyers, Jackson Boyd Services LLP, Centenary House, 69 Wellington Street, Glasgow, G2 6HG (“the Applicant’s Agents”)**

**Mr Joseph Gillespie, Flat 80, 50 Kennishead Avenue, Thornliebank, Glasgow, G46 8RH (“the Respondent”)**

**Tribunal Members:**

**Karen Moore (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an Order for Payment in the sum of TWO THOUSAND FIVE HUNDRED AND SEVEN POUNDS AND FORTY PENCE (£2,507.40) Sterling together with interest at 4% per annum be granted.**

1. By application received between 9 February 2023 (“the Application”), the Applicant’s Agents on behalf of the Applicant applied to the Tribunal for an Order for payment of rent arrears together with interest at 4% per annum arising from a tenancy between the Parties. The Application comprised statements of rent showing £2,507.40 due and owing by the Respondent and his co-tenant to the Applicant and copy tenancy agreement between the Parties. The Application was accepted by the Tribunal and a Case Management Discussion (the “CMD”) was fixed for 14 April 2023 at 14.00 by telephone conference. The CMD was intimated to the Parties, and, in particular, to the Respondent by Sheriff Officer service on 10 March 2023.

**CMD**

2. The CMD took place on 14 April 2023 at 14.00 by telephone conference by telephone. The Applicant did not take part and was represented by Mr. Halley of the Applicant's Agents. The Respondent did not take part and was not represented.
3. Mr. Halley confirmed that the rent arrears of £2,507.40 remain outstanding and that interest is sought on that sum.

#### **Findings in Fact**

4. From the Application and the CMD, the Tribunal made the following findings in fact: -
  - i) There had been a tenancy of the Property between the Parties at a monthly rent of £550.00;
  - ii) Rent amounting to £2,507.40 is currently due and owing due and owing by the Respondent to the Applicant and
  - iii) The Applicant is entitled to interest at the rate of 4% per annum on the sum due.

#### **Decision**

5. Having made those findings, the Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal "may do anything at a case management discussion .....including making a decision" and so proceeded to make an order for payment in the sum of £2,507.40 together with interest at the rate of 4% per annum.

#### **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.**



---

**Legal Member/Chair**

**14 April 2023**  
**Date**