



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014**

**Chamber Ref: FTS/HPC/CV/23/0446**

**Re: Property at 20 Esslemont Avenue, Aberdeen, AB25 1SN (“the Property”)**

**Parties:**

**Mr Christopher Mair, 26 Kemp Place, Edinburgh, EH3 5HU (“the Applicant”)**

**Ms Kate Walbrecq, Flat F, 5 Kerloch Place, Torry, Aberdeen, AB11 8JB (“the Respondent”)**

**Tribunal Members:**

**Alison Kelly (Legal Member) and Gordon Laurie (Ordinary 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 should be made.**

**Background**

The Applicant lodged an application on 10<sup>th</sup> February 2023 under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.

Lodged with the Application were:

1. Copy Private Residential Tenancy Agreement commencing 11<sup>th</sup> February 2022 with a rent of £300 per month
2. Rent Statement

The Application was served on the Respondent by Sheriff Officer on 23<sup>rd</sup> May 2023. They disclosed that the Respondent had vacated the property and gave her new address.

## **Case Management Discussion**

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant represented himself. The Respondent did not attend and was not represented.

The Applicant asked that an order be granted for payment in the amount of £2100, being the sum sought in his application and being the balance due as at 11<sup>th</sup> January 2023.

## **Findings in Fact**

1. The parties entered in to a tenancy agreement for rent of the property;
2. The monthly rent was £300;
3. On 11<sup>th</sup> January 2023 the rent arrears owed were £2100.

## **Reasons for Decision**

The Respondent owes rent to the Applicant as at 11<sup>th</sup> January 2023 in the amount of £2100.

## **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.**

**Alison Kelly**

23 June 2023

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**Legal Member/Chair**

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**Date**