



**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/23/0565**

**Re: Property at Flat 4, 38 Falkirk Road, Bonnybridge, FK4 1BD (“the Property”)**

**Parties:**

**C-urb 6 Ltd, (formerly Link Housing Association Limited t/a Link2Let), Link  
House 2C New Mart Road, Edinburgh, EH14 1RL (“the Applicant”)**

**Mr John Coogan, Flat 4, 38 Falkirk Road, Bonnybridge, FK4 1BD (“the  
Respondent”)**

**Tribunal Members:**

**Graham Harding (Legal Member) and Helen Barclay (Ordinary Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the Applicant was entitled to an order for payment by  
the Respondent to the Applicant in the sum of £13270.70.**

**Background**

1. By application dated 22 February 2023 and subsequently as amended on 5 May 2023 the Applicant’s representatives, Harper Macleod LLP, Solicitors, Glasgow, applied to the Tribunal for an order for payment of £9407.96 in respect of alleged rent arrears arising from the Respondent’s tenancy of the property. The Applicant’s representatives submitted a copy of the tenancy agreement together with a rent statement in support of the application.
2. By Notice of Acceptance dated 19 July 2023 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion (“CMD”) was assigned.

3. The Applicant's representatives submitted further written representations by email dated 3 August 2023.
4. Intimation of the CMD was served on the Respondent by Sheriff Officers on 1 September 2023.
5. By email dated 22 September 2023 the Applicant's representatives submitted an application to amend the sum claimed to £13270.70.

### **The Case Management Discussion**

6. A CMD was held by teleconference on 15 February 2023. The Applicant was represented by Ms Gillian Halas and from the Applicant's representatives Ms Keri Preece. The Respondent did not attend nor was he represented. The Tribunal being satisfied that proper intimation had been given to the Respondent determined to proceed in his absence.
7. Ms Preece referred the Tribunal to her email of 22 September 2023 and to the rent statement submitted. She asked the Tribunal to allow the sum claimed to be increased to £13270.70. The Tribunal noted that the application to amend had been made more than 14 days prior to the CMD and there had been no written representations from the Respondent opposing the application. The Tribunal allowed the amendment. Ms Preece advised the Tribunal that the amount due by the Respondent consisted of rent due of £13120.70 plus a further £150.00 in respect of a charge for a recoverable repair making a total due of £13270.70 and asked the Tribunal to grant an order for payment in that amount.

### **Findings in Fact**

8. The Respondent owed rent and other charges of £13270.70 as at 1 September 2023 and this amount was still outstanding at the date of the CMD.

### **Reasons for Decision**

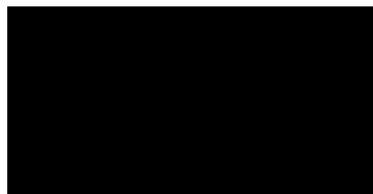
9. The Tribunal was satisfied from the written representations and documents submitted by the Applicant's representatives together with the oral submissions that the Applicant was entitled to an order for payment by the Respondent in the sum of £13270.70.

## **Decision**

10. The Tribunal finds the Applicant entitled to an order for payment by the Respondent to the Applicant in the sum of £13270.70.

## **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.**



**Graham Harding  
Legal Member/Chair**

**11 October 2023  
Date**