



**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/23/0798**

**Property: 53 Flat 2/1 High Street, Paisley PA1 2AN (“Property”)**

**Parties:**

**8 Investments Scotland Limited, 47 Aytoun Road, Glasgow G41 5HW (“Applicant”)**

**Castle Residential, 63 Causeyside Street, Paisley PA1 1YT (“Applicant’s Representative”)**

**Miss Ngan Thi Thai and Mr Thu Ong Xuan Tran, 53 Flat 2/1 High Street, Paisley PA1 2AN (“Respondent”)**

**Tribunal Members:  
Joan Devine (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £2086.77.**

**Background**

The Applicant sought an order for payment of £3361.77 in respect of arrears of rent. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement dated 14 and 16 August 2022; a schedule of rent arrears and certificate of service by Sheriff Officer evidencing service of the Application on the Respondent on 6 September 2023.

**Case Management Discussion (“CMD”)**

A CMD took place on 10 October 2023 by conference call. In attendance at the CMD for the Applicant was Jacqueline McLelland of the Applicant’s Representative. There was no appearance by the Respondent. Mrs McLelland told the Tribunal that the Respondent had vacated the Property on 21 March 2023. She said that the arrears at that time were £3361.77 but since then the deposit of £1275 had been applied to the

arrears. The balance remaining was £2086.77. She said that there had been no recent contact with the Respondent.

### **Findings in Fact**

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a tenancy agreement dated 14 and 16 August 2022 which commenced on 19 August 2022.
2. In terms of the tenancy agreement the rent was £895 per month.
3. The Respondent failed to pay the rent for the period 1 September 2022 to 1 March 2023. The unpaid amount was £3361.77.
4. The deposit of £1275 was applied to the arrears leaving a balance of £2086.77.
5. The Application was served on the Respondent on 6 September 2023.

### **Reasons for the Decision**

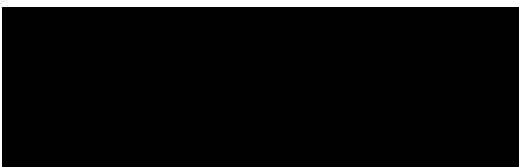
The Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £895 per month. The Respondent had failed to pay the rent in full for the period 1 September 2022 to 1 March 2023. After application of the deposit the balance due was £2086.77.

### **Decision**

The Tribunal grants an order for payment of £2086.77.

### **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**

**Date : 10 October 2023**