



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/23/0849

Re: Property at Flat B 336 Victoria Road, Aberdeen, AB11 9NY (“the Property”)

Parties:

Mrs Joy Muoneke, Mr Muoneke Callistus Udonna, 16 Pinecrest circle, Aberdeen, AB15 9FN (“the Applicant”)

Mr Eduard Nicolae Patrichi, Miss Lucy Shannon Sargeant, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the Respondents in the sum of £4,100.00.

Background

[1] The Applicant seeks a Payment Order for rent arrears said to have been accrued by the Respondents under a tenancy between the parties together with restoration costs for damage caused by the Respondents to the Property.

The Case Management Discussion

[2] The Application called for a Case Management Discussion (CMD) at 10 am on 2 October 2023. The Applicants were personally present. The Respondents were neither

present nor represented on the call. On the basis that the Application and information about how to join the conference call had competently been served on Respondents by means of advertisement on the Tribunal website as their whereabouts could not reasonably be located, the Tribunal decided to proceed in their absence. Having done so, the Tribunal made the following findings in fact.

Findings in Fact

- I. *The Applicant let the Property to the Respondents by virtue of a private Residential Tenancy;*
- II. *The Respondents vacated the Property with the sum of £4,100 lawfully due as rent arrears and the restoration costs of making good damage caused to the Property by the Respondent.*

Reasons for 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 Respondents in the sum of £4,100.00.

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

2 October 2023

Date