



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

Chamber Ref: FTS/HPC/CV/23/0850

Re: Property at Flat E, 18 Inchinnan, Paisley, PA3 2RA (“the Property”)

Parties:

Dream World Investing LTD, Tortola Pier Park, Wickhams Cay I, Tortola, British Virgin Isles (“the Applicant”)

Ms Mokina Bonkinova, Flat E, 18 Inchinnan, Paisley, PA3 2RA (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Frances Wood (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the Respondent in the sum of £11,250.00 with interest running on that sum at the rate of 8 per cent from today’s date until payment.

Background

The Applicant seeks a Payment Order for rent arrears in the sum of £11,250.00 said to have been accrued by the Respondent under a tenancy between the parties.

The Application is accompanied by a copy of the tenancy agreement and evidence of the rent arrears relied on.

The Case Management Discussion

The Application called for a Case Management Discussion (CMD) by conference call at 2pm on 29 June 2023. The Applicant was represented by Mr Chisolm, solicitor, of Complete Clarity Solicitors. There was no appearance by or on behalf of the Respondent. On the basis that the Application and information about how to join the conference call had been served on the Respondent by Sheriff Officers, the Tribunal proceeded in the absence of the Respondent. Having heard from Mr Chisolm and having considered the Application, the Tribunal made the following findings in fact.

Findings in Fact

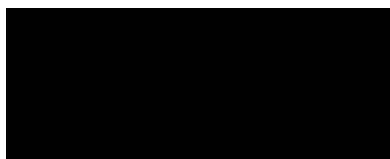
- I. The Applicant and the Respondent entered into a tenancy agreement whereby the Applicant let the Property to the Respondent on a Private Residential Tenancy;*
- II. The Respondent fell into significant rent arrears;*
- III. The Respondent has failed to pay any rent for around three years;*
- IV. The sum claimed of £11,250.00 is lawfully due as rent arrears by the Respondent to the Applicant but remains unpaid.*

Reasons for Decision

Having made the above findings in fact, the Tribunal made a Payment Order in favour of the Applicant against the Respondent in the sum of £11,250.00 with interest running on that sum at the rate of 8 per cent from today's date until payment.

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

29 June 2023
Date