



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/23/1187

Re: Property at 5 Stevenson Place, Annan, DG12 6BU (“the Property”)

Parties:

Mrs Fay Anderson, 12 Solway Park, Annan, DG12 6HJ (“the Applicant”)

Mr Robert Smith, 96 Standalane, Annan, DG12 5JN (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted a Payment Order in favour of the Applicant against the Respondent in the sum of £2,635.00.

Background

The Applicant seeks a Payment Order against the Respondent for rent arrears 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 founded upon.

The Case Management Discussion

The Application called for a Case Management Discussion (CMD) by conference call at 10am on 5 July 2023. The Applicant was personally present. 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 decided to proceed in the absence of the Respondent. Having heard from Ms Anderson and having considered the documentation before the Tribunal, the Tribunal made the following findings in fact.

Findings in Fact

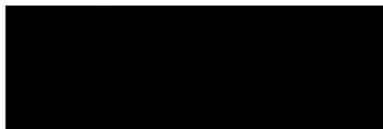
- I. *The parties entered into a tenancy agreement in which the Applicant let the Property to the Respondent by virtue of a Short Assured Tenancy;*
- II. *The Respondent fell into rent arrears;*
- III. *The sum of £2,635.00 is resting owed as rent arrears by the Respondent to the Applicant;*

Decision

Having made the above findings in fact, the Tribunal granted a Payment Order in favour of the Applicant against the Respondent in the sum of £2,635.00. The Applicant did not seek any award of interest.

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

5 July 2023
Date