



**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/23/1846**

**Re: Property at Flat 2 389 Kilbowie Road, Clydebank, G81 2TX (“the Property”)**

**Parties:**

**Owning Life Ltd, Owning Life Ltd, Brimstage Hall, Brimstage Road, Wirral,  
Merseyside, CH63 6JA (“the Applicant”)**

**Mr Michael Reilly, Flat 2 389 Kilbowie Road, Clydebank, G81 2TX (“the  
Respondent”)**

**Tribunal Member:**

**George Clark (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the application should be dismissed.**

**Background**

By application, dated 20 April 2023, the Applicant sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent to the Applicant. The sum sought was £2,496.07.

The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties, commencing on 11 February 2022 at a rent of £525 per month. The Landlord later provided an updated Rent Statement showing arrears as at 25 July 2023 of £2,340.07.

On 29 August 2023, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondent was invited to make written representations by 19 September 2023. The Respondent did not make any written representations to the Tribunal.

### **Case Management Discussion**

A Case Management Discussion was held by means of a telephone conference call on the morning of 9 October 2023. The Applicant was represented at the Case Management Discussion by Miss Emma McCulloch of EVE Property (Scotland) Ltd, Glasgow. The Respondent was not present or represented.

The Applicant's representative told the Tribunal that the Respondent had, last week, cleared the arrears of rent and that she accepted that the application must be dismissed.

### **Reasons for Decision**

Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it sufficient information and documentation to enable it to decide the application without a Hearing.

The Tribunal was satisfied that there are currently no rent arrears. Accordingly, the application must be dismissed.

### **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.**



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**Legal Member/Chair**

**9 October 2023**  
**Date**