



**Case Management Discussion Note under Section 16 of the Housing (Scotland) Act 2014 (“the Act”) and Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)**

**Chamber Ref: FTS/HPC/CV/20/1522**

**Re: Property at 76 Hillwood Rise, Edinburgh, EH28 8QD (“the Property”)**

**Parties:**

**Ms Gillian Anderson, c/o Cornerstone Letting, 21 Landsdowne Crescent, Edinburgh, EH12 5EH (“the Applicant”) its agents, T.C. Young, solicitors, 7 West George Street, Glasgow G2 1BA**

**Ms Sarah Janice Doig, 76 Hillwood Rise, Edinburgh, EH28 8QD (“the Respondent”)**

**Tribunal Members:**

**Karen Moore (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an Order for Payment in the sum of TWO THOUSAND SEVEN HUNDRED POUNDS (£2,700.00) STERLING be granted.**

**Background**

1. By application received on 16 July 2020 (“the Application”), the Applicant’s Agents on behalf of the Applicant made an application to the First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Chamber”) for a payment order for rent amounting to £2,700.00 due and owing by the Respondent to the Applicant in terms of a short assured tenancy agreement between the Parties. The Application comprised a copy of the short assured tenancy agreement between the Parties and a Statement of Account showing rent amounting to £2,700.00 due and owing by the Respondent to the Applicant to 15 July 2020.

2. On 12 August 2020, a legal member of the Chamber with delegated powers of the Chamber President accepted the Application and a Case Management Discussion (“CMD”) was fixed for 1 October 2020 at 10.00 by telephone conference call. The Application was intimated to the Respondent by Sheriff Officer service on 4 September 2020. The CMD was intimated to both Parties.

### **Case Management Discussion**

3. The CMD took place on 1 October 2020 at 10.00 by telephone. The Applicant did not take part and were represented by Ms. Caldwell of the Applicant’s Agents. The Respondent was not present and not represented.
4. Ms. Caldwell confirmed the Order sought.

### **Findings of the Tribunal.**

1. From the Application and the CMD, the Tribunal found the following facts to be established: -
  - i) There is a private residential tenancy agreement between the Parties;
  - ii) The monthly rent is £675.00;
  - iii) Rent arrears amounting to £2,700.00 are due and owing by the Respondent to the Applicant.

### **Decision of the Tribunal and Reasons for the Decision.**

2. Having found the sum sought is due and owing , the Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal “may do anything at a case management discussion .....including making a decision” and so proceeded to make an order for payment with interest as requested.

### **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**

**1 October 2020**

**Legal Member/Chair**