

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/EV/21/1556**

**Property: 167 Oak Road, Cumbernauld, Glasgow G67 3LE (“Property”)**

**Parties:**

**Alison Harrison, 31A North Bridge Street, Bathgate, West Lothian EH48 4PJ (“Applicant”)**

**Harper Macleod LLP, Solicitors, 45 Gordon street, Glasgow G1 3PE (“Applicant's Representative”)**

**Gary Keene, 167 Oak Road, Cumbernauld, Glasgow G67 3LE (“Respondent”)**

**Tribunal Members:**

**Joan Devine (Legal Member)  
Elizabeth Currie (Ordinary Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for possession should be made.**

**Background**

The Applicant sought an order for payment of £5,170 in respect of arrears of rent. The Applicant had lodged Form F. The documents produced were: a Private Residential Tenancy Agreement dated 15 July 2020; statement of rent arrears and sheriff officer's execution of service certifying service of the Application on 23 July 2021.

**Case Management Discussion**

A case management discussion took place before the Tribunal on 25 August 2021 by teleconference. Stephen Nicolson of the Applicant's Representative was in attendance. There was no appearance on behalf of the Respondent. As regards the arrears statement, Mr Nicolson explained that payments of £970.77 and £150 had been made at the start of the tenancy in respect of one month's rent and the deposit. These payments totalled £1,120.77 and were the only payments received. Mr Nicolson told the Tribunal that the Applicant's only source of income was from the Property and one other property owned by her. Mr Nicolson could provide no information regarding the financial position of the Respondent and whether he was in receipt of universal credit.

### **Findings in Fact**

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a Private Residential Tenancy Agreement which commenced on 16 July 2020 ("Tenancy Agreement").
2. The rent in terms of the Tenancy Agreement was £470 per month.
3. The Respondent had failed to pay the rent for the period 16 August 2021 to 15 June 2021.

### **Reasons for the Decision**

The Tribunal determined to make an Order for payment of £5,170. Rent was due in terms of the Tenancy Agreement at the rate of £470 per month and had not been paid for the period 16 August 2021 to 15 June 2021.

### **Decision**

The Tribunal grants an order for payment of £5,170.

### **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.**

  
**Joan Devine**  
**Legal Member**

**Date: 25 August 2021**