



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/21/2780

Re: Property at 2/1 567 OLD SHETTLESTON ROAD, GLASGOW, G32 7JF (“the Property”)

Parties:

MRS AMANDA REYNOLDS, 0/2 160 ONSLOW DRIVE, GLASGOW, G31 2PZ (“the Applicant”)

MISS LAURA SKINNER, 2/1 567 OLD SHETTLESTON ROAD, GLASGOW, G32 7JF (“the Respondent”)

Tribunal Member:

David Preston (Legal Member)

The tribunal determined that the respondent pay to the applicants the sum of FOUR THOUSAND NINE HUNDRED POUNDS (£4900) being arrears of rent under the Tenancy Agreement between the parties.

Background:

1. By application dated 7 November 2021 the applicant applied to the Tribunal under Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Regulations”) for an order for payment in respect of arrears of rent. The application was accompanied by the Short Assurances Tenancy Agreement dated 17 September 2013 and Rent Statement to October 2021 showing arrears of £4900.
2. A Case Management Discussion (CMD) took place on 20 January 2022 by telephone. Both parties attended by telephone.

Case Management Discussion

3. The respondent said that she had lost her job in September 2021 and was out of work and was now on benefits. She accepted responsibility for the arrears of rent and said that she was applying for jobs but had so far been unsuccessful. She said

that the benefits were in the process of been sorted out, but she was not in a position at the moment to make any payments towards the arrears. She said that once she got a job she would make payments towards the rent and the arrears.

4. The applicant said that the rent statement showed that significant arrears had built up. No payments were being made for the current rent and there had been no effort to make any payments towards the arrears. She said that she had tried to be supportive to allow the rent to be caught up but had reached the point where something had to be done. She explained that she was paying two mortgages and that she had served notice to quit on the respondent which still had some time to run. She was looking for an Order for Payment for the amount of the arrears and accepted that this would be in the sum of £4900 being the sum sought in the application. She had not intimated any increase in the amount of the arrears since the time of the application.

Reasons for Decision:

5. Rule 17 of the Regulations states that the tribunal may do anything at a CMD which it may do at a hearing, including making a decision. The tribunal decided that, on the basis of the information presented to it, it was able to determine the application at the CMD.
6. The tribunal accepted the information in the file and as provided by the applicant and determined to issue the order for 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.

D. P

20 January 2022