

**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 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref:** FTS/HPC/CV/22/0895

**Property:** 60 Main Street, Flat 3, Campbeltown, PA28 6AB (“the Property”)

**Parties:** Ms Elaine Macinnes, 11 Movern Hill, Oban PA34 4NS (“the Applicant”)  
Mr Mark Gillies, 60 Main Street, Flat 3, Campbeltown, PA28 6AB (“the Respondent”)

**Tribunal Members:**

Mark Thorley (Legal Member)  
Angus Lamont (Ordinary 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 by the respondent to the applicant in the sum of FOUR THOUSAND SIX HUNDRED AND FIFTY ONE POUNDS SEVENTY EIGHT PENCE (£4,651.78) be made.

**Background**

1. The applicant applied to the First-tier Tribunal by application dated 20 March 2022. Accompanying the application was a copy of evidence of the rent arrears including rent arrears table and bank statements together with correspondence between the parties.
2. Intimation of the application was made to the respondent on 6 June 2022 by sheriff officer. No response had been received from the respondent.

**Case Management Discussion**

3. At the case management discussion Mr Stevenson, solicitor appeared on behalf of the applicant. There was no appearance by or for the respondent.
4. Mr Stevenson confirmed that arrears now stood at the sum of £4,651.78. There had been no payment of any rent since July 2021. The applicant had tried to engage the respondent but without any success.

**Findings in fact**

5. The parties entered into a Private Residential Tenancy Agreement for the property at 60 Main Street, Flat 3, Campbeltown, PA28 6AB with a commencement date of 14 April 2021.

6. Rent was due to be paid at the rate of £400 per month.
7. No rent had been paid since July 2021.
8. Rent outstanding was £4,651.78.

**Reasons for decision**

9. The applicant had made out a case in written form. This was spoken to by her solicitor. The respondent had not provided any written representation and did not attend at the hearing. The tribunal accepted the evidence provided in written form and through the applicant's solicitor.

**Decision**

10. To make an order for payment by the respondent to the applicant of the sum of FOUR THOUSAND SIX HUNDRED AND FIFTY ONE POUNDS SEVENTY EIGHT PENCE (£4,651.78).

**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.**

  
**Mark Thorley**

**Legal Member/Chair:**

**Date:** 13 July 2022