



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 71 of the Private Housing
(Tenancies)(Scotland) Act 2016**

Chamber Ref: FTS/HPC/CV/19/1170

Re: Property at 54 Gemini Grove, Holytown, ML1 4SP (“the Property”)

Parties:

**Mr Jeremy Finn and Ms Ruth Finn, c/o Independent MPS, 23 Stirling Street,
Airdrie, ML6 0AH (“the Applicant”)**

**Miss Claire Yarwood and Mr Scott Smith, 54 Gemini Grove, Holytown, ML1 4SP
 (“the Respondent”)**

Tribunal Members:

John McHugh (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 by the Respondents jointly
and severally to the Applicant of the sum of £10,730.42.**

Background

The Applicant is the landlord and the Respondent the tenant in respect of a lease of the Property. The Applicant seeks payment of rent arrears by the Respondent.

The Case Management Discussion

A Case Management Discussion took place at the Glasgow Tribunals Centre on 16 July 2019. The Applicant was represented by its lettings agent, Mrs Kirsty Hill. The Respondent was neither present nor represented.

Findings in Fact

The Applicant is the landlord and the Respondent the tenant in respect of a short assured tenancy of the Property dated 3 July 2014.

The tenancy agreement provides that rent is payable by the Respondent jointly and severally at the rate of £500 per month.

Rent was outstanding in the amount of £10730.42 at the date of the application.

The Respondent remains in occupation.

Reasons for Decision

Rent was outstanding in the amount of £10730.42 at the date of the application. No valid reason for non-payment has been given although the Respondent has emailed the office of the Tribunal on 24 June 2019. In that email, the Respondent claimed that there are issues relating to the repair of the Property although there was no information as to how this related to the non-payment of rent.

Decision

An order for payment by the Respondents jointly and severally to the Applicant of the sum of £10,730.42 will be made.

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.

J McHugh

John McHugh, Legal Member/Chair

16 July 2019

Date