



**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 (Act)**

Chamber Ref: FTS/HPC/CV/20/1218

**Re: Property at Flat 1/19, 59 Fairley Street, Ibrox, Glasgow, G51 2SN (“the
Property”)**

Parties:

**Homeselect Finance (No. 3) Limited, c/o 7 West George Street, Glasgow, G2 1BA
 (“the Applicant”)**

**Ms Jean Bentley, Flat 1/19, 59 Fairley Street, Ibrox, Glasgow, G51 2SN (“the
Respondent”)**

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the application for payment be granted in the sum of
£7,517.42.**

Background

This is an application under Rule 70 and section 16 of the Act in respect of rent
arrears during a tenancy of the Property.

The Tribunal had regard to the following documents:

1. Application received 28 May 2020;
2. SAT commencing 30 April 2015;
3. Sheriff Officer Certificate of service of CMD Notification dated 29 July 2020;
4. Schedule of rent arrears;
5. Written Representations from Applicant dated 5 August 2020 enclosing up to
date rent statement and application to amend.

Case Management Discussion (CMD)

The case called for a CMD by conference call on 20 August 2020. The Applicant did not participate but was represented by its Solicitor. The Respondent did not participate. The Tribunal delayed the commencement of the CMD to see if the Respondent would call in – but she did not.

The Tribunal was satisfied that the Respondent had received notification of the CMD by the Sheriff Officer's Certificate of Service dated 29 July 2020. The Respondent was aware that the Tribunal could determine matters in her absence if it had sufficient information to do so and the procedure was fair.

Decision and Reasons

The Tribunal considered the documentation before it and was satisfied that it had sufficient information to determine the matter at this stage and that the procedure was fair.

The Tribunal considered and granted the Applicant's application to increase the sum sued for to £7,517.42.

The Tribunal made the following findings in fact:

1. The Parties entered into an SAT commencing 30 April 2015;
2. The monthly rent was £431.60;
3. As at the date of the CMD the rent was £7,517.42 in arrears.

The Tribunal granted the order for payment sought.

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.

_Alan Strain
Legal Member/Chair

20 August 2020

Date