



Decision 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/21/1030

Re: Property at 14 - 1 Trinity Street, Hawick, TD9 9NS (“the Property”)

Parties:

Mima Investments Limited, Unknown, Unknown (“the Applicant”)

Miss Claire Griffin, UNKNOWN, UNKNOWN (“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 the Respondent should be ordered to pay to the Applicant the sum of £1978.35.

Background

The Applicant was the landlord and the Respondent the tenant under a private residential tenancy agreement in respect of the Property dated 8 May 2020.

The Case Management Discussion

A Case Management Discussion (“CMD”) took place by telephone conference on 8 September 2021. The Applicant was represented by its letting agent, Caitlin Tofts. The Respondent did not attend. Her address is not known and so the CMD date was advertised upon the Tribunal’s website.

Findings in Fact

The Applicant was the landlord and the Respondent the tenant under a private residential tenancy agreement in respect of the Property dated 8 May 2020.

Prior to that date the Applicant had let to the Respondent a different property at 4-4 Croft Road under a private residential tenancy agreement.

Rent is outstanding by the Respondent under both agreements in the total sum of £1978.35.

The Respondent is no longer in occupation of the Property.

Reasons for Decision

Ms Toft explained that the Respondent had originally been the Applicant's tenant at 4-4 Croft Road where she had built up rent arrears of £1760.32. That property had needed repairs and the Applicant and Respondent had agreed that the Respondent would take up a tenancy of the Property.

Further arrears of rent were added while the Respondent lived at the Property. The total outstanding as at today is £1978.35. The Applicant has produced statements showing the outstanding amounts.

Decision

The Respondent will be ordered to pay to the Applicant the sum of £1978.35.

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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

J McH

John McHugh
Legal Member/Chair

8 September 2021
Date