



**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/22/0603

Re: Property at 23 Sighthill Terrace, Edinburgh, EH11 4PQ (“the Property”)

Parties:

**Gauld Properties Ltd, having a place of business at 22 Milnpark Street,
Glasgow, G41 1BB (“the Applicant”)**

**Mrs Annette Barnett, 103 Carrick Knowe Drive, Edinburgh, EH12 7EG (“the
Respondent”)**

Tribunal Member:

George Clark (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the application should be decided without a
Hearing and made an Order for Payment by the Respondent to the Applicant of
the sum of £3,642.22.**

Background

By application dated 2 March 2022, the Applicant sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent to the Applicant. The sum sought was £3,642.22.

The Applicant stated that the Respondent had vacated the Property on 16 November 2021 and that the balance sought took account of the deposit of £1,600 which had since been recovered in full by the Applicant.

The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties commencing on 30 October 2020 at a rent of £800 per month and a Rent Statement showing a balance due on 25 October 2021 of £5,242.22 and a balance due on 16 November 2021 of £3,642.22.

On 30 March 2022, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondent was invited to make written representations by 20 April 2022. The Respondent did not make any written representations to the Tribunal.

Case Management Discussion

A Case Management Discussion was held on the afternoon of 18 May 2022. The Applicant was represented by Mrs Claire Trainer. The Respondent was not present or represented. Mrs Trainer told the Tribunal that no payment had been received since the date of the application.

Reasons for Decision

Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it all the information and documentation it required to decide the application without a Hearing. The Tribunal was satisfied that the sum sought had become lawfully due by the Respondent to the Applicant.

Decision

The Tribunal determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £3,642.22.

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.

G. C

Legal Member/Chair

18 May 2022
Date