



**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/EV/22/4139**

**Property : 1 Garrioch View, Kinellar, Aberdeenshire AB21 OSA (“Property”)**

**Parties:**

**Craigmar Properties, Chapelworks, Bucksburn, Aberdeen AB21 9TL (“Applicant”)**

**Andrew Duncan and Christina Ledingham, Steading No. 1, Newton of Rothmay, Inch AB52 6UR (“Respondent”)**

**Tribunal Members:  
Joan Devine (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £7000 should be made.**

**Background**

The Applicant sought an order for payment of £7000 in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement dated 7 December 2021; a rent statement and sheriff officer's execution of service certifying service of the Application on 3 March 2023.

**Case Management Discussion**

A case management discussion took place before the Tribunal on 5 April 2023 by teleconference. Charles Marshall of the Applicant was in attendance. There was no appearance by the Respondent. Mr Marshall told the Tribunal that the Respondent had left the Property but he had instructed a trace and had their current address.

**Findings in Fact**

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a Tenancy Agreement dated 7 December 2021 ("Tenancy Agreement").
2. In terms of the Tenancy Agreement the rent was £1400 per month.
3. The Respondent had failed to pay the rent for the period 7 June 2022 to 7 October 2022. The unpaid amount was £7000.
4. Notice of the date of the case management discussion had been given to the Respondent on 3 March 2023.

### **Reasons for the Decision**

The Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £1400 per month. The Respondent had failed to pay the rent for the period 7 June 2022 to 7 October 2022.

### **Decision**

The Tribunal grants an order for payment of £7000.

### **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 Devine

**Joan Devine  
Legal Member**

**Date : 5 April 2023**