



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 “The Act”

Chamber Ref: FTS/HPC/CV/23/0280

Re: Property at 171 West George Street, Coatbridge, ML5 2DD (“the Property”)

Parties:

Sharon Hiddleston, Rigghead, Irongray, Dumfries, DG2 9SH (“the Applicant”)

Lesley Woodhead, 171 West George Street, Coatbridge, ML5 2DD (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Ann Moore (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) decided to grant the Application and made a Payment Order in the sum of £7,680.00 against the Respondent in favour of the Applicant.

Background

The Applicant seeks a Payment Order in the sum of £7,680.00 against the Respondent in respect of rent arrears said to be lawfully due to the Applicant under a tenancy between the parties. The Application is accompanied by a copy of the relevant tenancy agreement and a rent statement.

The Case Management Discussion

The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 13 April 2023. The Applicant was represented by Mr Ian Lobban. There was no

appearance by or on behalf of the Respondent. There had been a previous CMD where neither party had appeared. The Application and information about how to join the previous CMD had been competently served on the Respondent. The details of today's CMD had again been intimated to the Respondent by post. Accordingly, the Tribunal decided to proceed with the CMD in the absence of the Respondent.

Having heard from Mr Lobban and having considered the Application, the Tribunal made the following findings in fact.

Findings in Fact

- I. The parties entered into a tenancy agreement whereby the Applicant let the Property to the Respondent by virtue of a Private Residential Tenancy Agreement that commenced on 13 April 2019*
- II. The contractual monthly rent was £480.00;*
- III. The Respondent fell into rent arrears;*
- IV. The sum sought in the Application of £7,680.00 is lawfully due as rent by the Respondent to the Applicant but remains unpaid;*

Reasons for Decision

Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in the sum of £7,680.00 against the Respondent in favour of the Applicant.

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.

A. McLaughlin

Legal Member/Chair

Date 13 April 2023