



**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/19/3192

Re: Property at 10E Kilcreggan view, Greenock, PA15 3JB (“the Property”)

Parties:

**Mr John Gisbey, 5 Ballochyle Place, Gourock, PA19 1BG (“the Applicant”)
represented by Kenneth Caldwell, solicitor, Messrs Patten and Prentice,
Solicitors 2 Ardgowan Square Greenock**

**Miss Yvonne Gallagher, 10E Kilcreggan View, Greenock, PA15 3JB (“the
Respondent”)**

Tribunal Members:

Jim Bauld (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that that an order should be granted for payment in the
sum of One Thousand, nine hundred and forty pounds (£1940)**

Background

By application received on 8 October 2019, the applicant sought an order under section 16 of the Housing (Scotland) Act 2014 and in terms of rule 70 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.

On 23 October 2019, the application was accepted by the Tribunal and referred for determination by the tribunal.

The Case Management Discussion

The Case Management Discussion (CMD) took place on 18 October 2018 .The applicant was represented by his solicitor, Mr Kenneth Caldwell. The respondent did not attend

The tribunal explained the purpose of the CMD and the powers available to the tribunal to determine matters. The tribunal asked various questions with regard to the application and the applicant confirmed that he wished the tribunal to grant the order sought in the application

Findings in Fact

The Applicant and the Respondent as respectively the landlord and tenant entered into a tenancy of the property on 7 December 2018.

The tenancy was a private residential tenancy in terms of the Act

As at 8 October 2019 the respondent owed rent arrears to the applicant in the sum of £1940. Appropriate accounting had been provided with the application to the tribunal.

Decision

The order for payment of arrears is granted

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.

Jim Bauld

Legal Member/Chair

11 December 2019
Date