



**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/20/2483

Re: Property at 62 Clark Drive, Irvine, Ayrshire, KA12 0LB (“the Property”)

Parties:

**Mrs Linda Wright, Kilfillan Croft, Garlieston, Newton-Stewart, Wigtownshire,
DG8 8AF (“the Applicant”)**

Mrs Yvonne Vernon, 62 Clark Drive, Irvine, KA12 0LB (“the Respondent”)

Tribunal Member:

Nicola Irvine (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) granted an order for payment against the Respondent in the sum of
£3,175**

Background

The Applicant submitted an application seeking an order for payment in the sum of £3,175. That sum related to arrears of rent in respect of the Respondent’s tenancy of the property at 62 Clark Drive, Irvine. The Tribunal intimated the application to the parties by letter of 18th December 2020 and advised them of the date, time and place of today’s case management discussion. In that letter, the parties were also told that they required to take part in the discussion. The Respondent was invited to make written representations by 8th January 2021. No written representations were received by the Tribunal.

The Case Management Discussion

The case management discussion took place by conference call. The Applicant participated and the case management discussion proceeded in the absence of the Respondent. The Applicant advised that there has been some contact between the parties by text message but there has been no discussion about the present application. The Respondent has not made any proposals to repay the outstanding arrears of rent. The Applicant moved for an order for payment in the sum of £3,175.

Findings in Fact

1. The parties entered into a tenancy agreement which commenced on 29th September 2017.
2. The rent payable was £400 per month, payable in advance.
3. As at the date of presentation of the application, the rent arrears amounted to £3,175.
4. The Applicant is entitled to the Order sought for payment in the sum of £3,175.

Reason for Decision

The Applicant has produced a rent statement which shows that the rent arrears amounted to £3,175 at the time the present application was presented. The Respondent was given an opportunity to make written representations; she failed to do so and failed to participate in the case management discussion. The Tribunal proceeded on the basis of the documents lodged and the submissions made at the case management discussion. The Tribunal was satisfied that rent arrears are due by the Respondent and therefore granted the order for payment.

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.

Nicola Irvine

Legal Member/Chair

09 February 2021

Date