



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/23/0952

Re: Property at 4B North Port, Perth, PH1 5LU (“the Property”)

Parties:

Ms Andrea Hay, 73 Bonhard Way, Perth, PH2 6QB (“the Applicant”)

Mr Gary White, 4B North Port, Perth, PH1 5LU (“the Respondent”)

Tribunal Members:

George Clark (Legal Member)

Decision (in absence of the Parties)

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 £8,625.

Background

By application, dated 22 March 2023, 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 £8,625.

The application was accompanied by copies of a Private Residential Tenancy Agreement between the Parties, commencing on 7 May 2021 at a rent of £425 per month and a Rent Statement showing arrears as at 17 March 2023 of £8,625. No rent had been paid since a payment of £300 on 18 July 2022. £425 had been paid in June 2022, but, apart from that, no rent at all had been paid since the payment on the commencement day of the tenancy.

On 24 July 2023, 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 14 August 2023. The Respondent did not make any written representations to the Tribunal.

Case Management Discussion

A Case Management Discussion was held by means of a telephone conference call on the morning of 21 August 2023. Neither Party was present or represented and the Tribunal determined the application on the basis of the written representations and documents provided with 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 sufficient information and documentation to enable it to decide the application without a Hearing.

In the absence of any representations to the contrary by the Respondent, the Tribunal was satisfied that the sum sought had become lawfully due by the Respondent to 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.

G. Clark

Legal Member/Chair

21 August 2023
Date