



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 70(1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/19/1674**

**Re: Property at 166 Raploch Street, Larkhall, ML9 1AL (“the Property”)**

**Parties:**

**Mr Malcolm Brownlie, 1 Burnhead Road, Larkhall, ML9 2EJ (“the Applicant”)**

**Miss Nicola Hutchinson, Formerly residing at 166 Raploch Street, Larkhall, ML9 1AL but whose whereabouts are presently unknown (“the Respondent”)**

**Tribunal Members:**

**Ruth O'Hare (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to make an order in the sum of Five thousand four hundred and ninety pounds (£5490) against the Respondent**

**Background**

- 1** By application dated 29<sup>th</sup> May 2019 the Applicant sought an order for payment against the Respondent for unpaid rent arrears. In support of the application the Applicant provided a copy of the Tenancy Agreement between the parties and a rent account.
- 2** By Notice of Acceptance of Application the Legal Member with delegated powers of the Chamber President intimated that there were no grounds upon which to reject the application. A Case Management Discussion was therefore assigned for 14<sup>th</sup> October 2019.
- 3** Service of the application paperwork was attempted by Sheriff Officers on 6<sup>th</sup> August 2019. Upon attending the property it was found to be vacant. A neighbour advised that the respondent had “gone away” from the address.

12 The Tribunal therefore determined that the Respondent was liable to pay the Applicant the sum of £5490 and therefore made an order in those terms.

### 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.

Ruth O'Hare

 Legal Member/Chair

14/10/19  
Date