



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 (Act)

Chamber Ref: FTS/HPC/CV/19/0229

Re: Property at 1D Arklay Place, Dundee, DD3 7PL (“the Property”)

Parties:

Miss Selena Graham, 81 Linton Road, Dundee, DD2 2SX (“the Applicant”)

Miss Lynne Gilpin, 1D Arklay Place, Dundee, DD3 7PL (“the Respondent”)

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the order for payment in the sum of £1,200 be granted.

Background

This is an application for payment in respect of rent arrears under section 16 of the Act and Rule 111.

The Tribunal had regard to the following documents:

1. Application received 18 January 2019;
2. Private Residential Tenancy (PRT) dated 30 May 2018;
3. Statement of rent arrears as at 31 January 2019;
4. Sheriff Officer Certificate of Service dated 19 February 2019.

Case Management Discussion (CMD)

The case called for a CMD on 11 March 2019. The Applicant was present. There was no appearance by the Respondent.

Mr Alan Strain

The tribunal were satisfied that notification of the CMD had been given to the Respondent by Sheriff Officers on 19 February 2019. The Respondent was accordingly aware that the Tribunal could grant the order sought if satisfied on the evidence and that it was fair to do so.

The Tribunal considered the papers and also the representations from the Applicant. So far as material the Tribunal made the following findings in fact:

1. The Parties entered in to a PRT in respect of the Property on 30 May 2018;
2. As at 31 January 2019 the Respondent was in rental arrears to the amount of £1,200.

In light of the Tribunal's findings the Tribunal determined that it had sufficient information upon which to make a Decision and that it was fair to do so. The Tribunal accordingly granted the order sought.

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.

Mr Alan Strain

Legal Member/Chair

11 March 2019

Date