



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/19/1839

Re: Property at 19F Quality Street, Dysart, Fife, KY1 2TZ (“the Property”)

Parties:

Ore Valley Enterprises Limited, 114-116 Station Road, Cardenden, Fife, KY5 0JW (“the Applicant”)

Mr George Connelly, 19F Quality Street, Dysart, Fife, KY1 2TZ (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- **Background**

This is an application for an order for payment in relation to alleged arrears of rent owed by the Respondent to the Applicant in terms of a private residential tenancy. The case called for a case management discussion on 13 August 2019 at 2pm. The Applicant was represented by Ms Morrison of TC Young Solicitors. The Respondent was not present or represented.

On 26 July 2019, the Applicant applied to increase the sum sought in the application to £3,697.98, in terms of rule 14A of the Tribunal's Rule of Procedure, intimating the same on the Respondent on the same date. No objection was received to the application and it was granted by the Tribunal at the outset of the case management discussion.

- Findings in Fact
 1. The Property is let to the Respondent by the Applicant in terms of a private residential tenancy, with a start date of 4 May 2018. In terms of the tenancy agreement, rent of £403 is due each month no later than the third day of the month.
 2. As at the date of the case management discussion, the Respondent was in arrears of rent of £3,697.98.
- Reasons for Decision
 3. As the sum of £3,697.98 is owed by the Respondent to the Applicant, an order for payment of that sum should be made.
- Decision

Order made for payment by the Respondent to the Applicant of the sum of £3,697.98 (THREE THOUSAND SIX HUNDRED AND NINETY-SEVEN POUNDS AND NINETY-EIGHT PENCE STERLING).

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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

N.Y

Legal Member/Chair

13 August 2019

Date

*Insert or Delete as required