

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision with Statement of Reasons 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/19/4021**

**Re: Property at 6 Girthon Street, Sandyhills, G32 9BX (“the Property”)**

**Parties:**

**Mr Brian Queen, 52 Whitehill Avenue, Stepps, G33 6BN (“the Applicant”)**

**Mrs Carolyn Cameron, 6 Girthon Street, Sandyhills, G32 9BX (“the Respondent”)**

**Tribunal Members:**

**Martin McAllister (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) granted an order against the Respondent for payment of the undernoted sum to the Applicant:**

**Sum of One Thousand Seven Hundred and Thirty Pounds (£1,735)**

**Background**

**This is an application for payment in respect of rent arrears and is dated 18<sup>th</sup> December 2019. A rent statement accompanied the application which showed a sum due of £1,735. Prior to the case management discussion, the Applicant’s agents submitted an updated rent statement showing an outstanding sum of £2,885.**

## **The Case Management Discussion**

**A case management discussion was held at Glasgow Tribunal Centre on 26<sup>th</sup> February 2020. The Respondent was not present. The Applicant was represented by Ms Shannon Miller of Coda Estates.**

**Ms Miller said that the updated rent statement had not been formally intimated on the Respondent. She said that the Respondent is well aware of what she is due to pay and is aware that the arrears of rent are £2,885. After some consideration, Ms Miller said that she wanted to restrict the claim to the sum shown in the rent statement which had been intimated to the Respondent (£1,735) and that she would make formal intimation on the Respondent of the updated rent statement and possibly raise a fresh application.**

**Ms Miller disclosed that the tribunal had previously made an order for eviction and that Sheriff Officers had been instructed to effect this.**

**Ms Miller submitted that the tribunal had sufficient information to make an order and that no Hearing was necessary.**

## **Findings in Fact.**

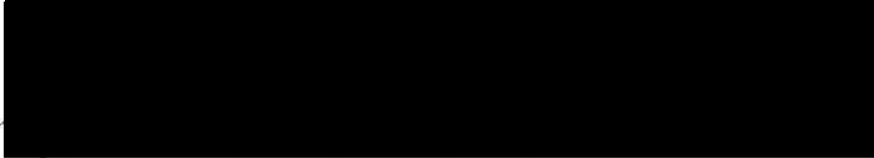
- 1. The parties entered into a short assured tenancy agreement dated 27<sup>th</sup> October 2017.**
- 2. The tenancy commenced on 30<sup>th</sup> October 2017, was for a period ending on 30<sup>th</sup> April 2018 and continued thereafter by tacit relocation.**
- 3. The rent contractually due is £575 per month.**
- 4. As at 18<sup>th</sup> December 2019 there were rent arrears of £1,735.**
- 5. Intimation of the case management discussion was made on the Respondent on 23<sup>rd</sup> January 2020.**

## **Reasons.**

- 1. The tribunal had before it a copy of the signed tenancy agreement showing monthly rent of £575. The tenancy agreement showed the commencement date of the lease to be 30<sup>th</sup> October 2017.**
- 2. The tribunal accepted the terms of the rent statement lodged with the application which showed rent arrears of £1,735.**
- 3. Intimation of the case management discussion on the Respondent was evidenced by the Sheriff Officer's intimation of service dated 23<sup>rd</sup> January 2020.**
- 4. No representations were received from the Respondent.**
- 5. The tribunal accepted that no Hearing was necessary and determined that it was appropriate to grant a payment order of £1,735.**

## **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.**



**Martin J. McAllister, Legal Member**

**26<sup>th</sup> February 2020**