

Housing and Property Chamber
First-tier Tribunal for Scotland



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Chamber Ref: FTS/HPC/CV/19/1258

Property: Flat 2/2, 7 Main Road, Elderslie PA1 2TG

Parties:

**Stephanie Lang and Mark Ritchie, 103 Hollows Avenue, Paisley PA2 ORD
("Applicant")**

Christopher Donnachie, Flat 2/2, 7 Main Road, Elderslie PA1 2TG ("Respondent")

Tribunal Members:

Joan Devine (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber)
("Tribunal") determined that an order for payment should be made.**

Background

The Applicant sought an order for payment of £2,276.94 in respect of arrears of rent. The Applicant had lodged with the Tribunal Form F. The documents produced were a Tenancy Agreement dated 10 August 2018 and a statement of outstanding rent. An updated statement of arrears had also been produced which showed payments to account which brought the arrears down to £1,721.94.

Case Management Discussion

A case management discussion took place before the Tribunal at 2pm on 7 August 2019 at the Glasgow Tribunals Centre. Both of the Applicants were in attendance. There was no appearance on behalf of the Respondent.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a Tenancy Agreement for the Property dated 10 August 2018.

2. The Lease commenced on 10 August 2018.
3. The rent in terms of the Tenancy Agreement was £495 per month. Rent was payable weekly.
4. The Respondent had failed to make payment of rent due during the period 10 August 2018 to 1 May 2019 as detailed on the statement lodged with the Application. Following payments to account the total outstanding was £1,721.94.
5. Notice of the date of the hearing had been given to the Respondent by letter dated 3 July 2019 which was served on 4 July 2019.

Reasons for the Decision

The Tribunal determined to make an Order for payment of £1,721.94. Rent was lawfully due in terms of clause 8 of the Tenancy Agreement at the rate of £495 per month. The rent had not been paid although due during the period 10 August 2018 to 1 May 2019 as detailed on the statement lodged with the Application.

Decision

For the foregoing reasons, the Tribunal determined to make an Order for payment.

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.

Joan Devine
Legal Member

7 August 2019

Date