

**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) under Section 16 of the Housing (Scotland)  
Act 2014**

**Chamber Ref: FTS/HPC/CV/19/2481**

**Re: Property at 49C Scott Street, Perth, PH2 8JN (“the Property”)**

**Parties:**

**Mrs Andrea Pullar, 26 Matthews Drive, Perth, PH1 2UR (“the Applicant”)**

**Miss Wilma Doig, 12 Crichton Lane Court, George Street, Coupar Angus, PH13  
9FD (“the Respondent”)**

**Tribunal Members:**

**Valerie Bremner (Legal Member)**

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

**Background**

This is an application for a Payment Order in terms of Rule 70 of the Tribunal Rules in respect of unpaid rent said to be lawfully due in respect of a rental agreement at the property.

The Respondent did not attend the Case Management Discussion (CMD) on 4<sup>th</sup> October 2019 and the Applicant was represented by Miss Kent of PKC Lets. The papers for the CMD had been served on the Respondent by Sheriff Officer. The Tribunal was asked to proceed in the absence of the Respondent and this request was granted in terms of Rule 29 of the Tribunal Rules.

V.Bremner

The Tribunal had sight of the Application, a tenancy agreement and a statement of rent. Miss Kent advised the Tribunal that the tenancy commenced in September 2017 and at first the rent had been paid four weekly by Housing Benefit payments but the Respondent's entitlement to that benefit had ceased in 2018. After April 2018 she was paying the rent herself as she was employed. The payments after that had started to be less regular, particularly towards the end of the lease and there were total arrears built up of £2455.94. The arrears were not connected to any delay or failure in the payment of housing benefit or universal credit. The tenancy ended on July 15<sup>th</sup> 2019. No deposit had been taken and required to be considered.

### **Findings in Fact**

1. The Applicant and Respondent entered into tenancy agreement at the property in September 2017 with monthly rent of £595 payable.
2. The Respondent fell into arrears with rent payments and is now in arrears of rent in the sum of £2455.94.
3. The arrears are not due to any failure or delay in the payment of any benefit to the Respondent and the unpaid rent is lawfully due by the Respondent to the Applicant.

### **Reasons for Decision**

It is reasonable to make a payment order in the sum of unpaid rent which is lawfully due by the Respondent to the Applicant.

### **Decision**

The Tribunal makes a payment order in favour of the Applicant in the sum of £2455.94 to be paid by the Respondent.

## **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.**

Valerie Bremner

---

**Legal Member/Chair**

4 October 2019.  

---

**Date**