



**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/22/2894**

**Re: Property at 21 Cartha Street, Flat 0/2, Glasgow, G41 3HH (“the Property”)**

**Parties:**

**Mr Piyush Mishra, 12 Chestnut Drive, Middlesex, HA5 1LY (“the Applicant”)**

**Mr George Bedden, 21 Cartha Street, Flat 0/2, Glasgow, G41 3HH (“the  
Respondent”)**

**Tribunal Members:**

**Graham Harding (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the Applicant was entitled to an order for payment by  
the Respondent to the Applicant in the sum of £5055.00.**

**Background**

1. By application dated 16 August 2022 the Applicant’s representatives, Martin & Co, Letting Agents, Glasgow, applied to the Tribunal for an order for payment in respect of alleged rent arrears arising from the Respondent’s tenancy of the property. The Applicant’s representatives submitted a copy of the tenancy agreement together with a rent statement in support of the application.
2. Following further correspondence between the Applicant’s representatives and the Tribunal administration the sum claimed was increased from £3685.00 to £5055.00.

3. By Notice of Acceptance dated 19 October 2022 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion ("CMD") was assigned.
4. Intimation of the CMD was served on the Respondent by Sheriff Officers on 19 December 2022.

### **The Case Management Discussion**

5. A CMD was held by teleconference on 15 February 2023. The Applicant was represented by Mr Javid Haq of Martin & Co. The Respondent did not attend nor was he represented. The Tribunal being satisfied that proper intimation had been given to the Respondent determined to proceed in his absence.
6. Mr Haq advised the Tribunal that the rent arrears currently amounted to £5650.00. He accepted that the sum claimed had not been amended in accordance with the Tribunal rules and that in the circumstances the Tribunal could only award the sum previously claimed namely £5055.00 and asked the Tribunal to grant an order for payment in that amount. Mr Haq advised the Tribunal that the Respondent had claimed that his bank account had been interfered with but had never produced any written evidence from his bank to support his claim.

### **Findings in Fact**

7. The Respondent owed rent of £5055.00 as at 5 October 2022 and this amount was still outstanding at the date of the CMD.

### **Reasons for Decision**

8. The Tribunal was satisfied from the written representations and documents submitted by the Applicant's representatives together with the oral submissions that the Applicant was entitled to an order for payment by the Respondent in the sum of £5055.00.

### **Decision**

9. The Tribunal finds the applicant entitled to an order for payment by the Respondent to the Applicant in the sum of £5055.00.

## **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.**

**Graham Harding  
Legal Member/Chair**

**15 February 2023  
Date**