



**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/23/4152**

**Property : Westview, Invergowrie, Dundee DD2 5JZ (“Property”)**

**Parties:**

**Helen Stark, 2 Lochton Farm Cottage, Abernyte, Perth, Perthshire PH14 9TA (“Applicant”)**

**Struan Baptie Property Management Ltd, 1A Victoria Road, Dundee DD1 1EL (“Applicant’s Representative”)**

**Chris Carr, Westview, Invergowrie, Dundee DD2 5JZ (“Respondent”)**

**Tribunal Members:**

**Joan Devine (Legal Member)**

**Eileen Shand (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £5900.**

**Background**

The Applicant sought an order for payment of £5900 in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement dated 30 August 2019; statement of rent arrears and communications from the Applicant’s Representative to the Respondent regarding rent arrears. The Application and date of the case management discussion were served on the Respondent by advertisement on the Tribunal website between 16 February and 18 March 2024.

**Case Management Discussion**

A case management discussion took place before the Tribunal on 18 March 2024 by conference call. The Applicant was represented by Melissa Coleman of the Applicant’s Representative. There was no appearance on behalf of the Respondent. Ms Coleman told the Tribunal that the Respondent had removed from the Property. She said that a trace had been attempted but was unsuccessful. She said there had been no

communication with the Respondent since the Applicant's Representative had taken over management of the Property. Ms Coleman said that the Applicant had not taken a deposit from the Respondent. she said she understood the Respondent had lived alone in the Property.

### **Findings in Fact**

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a Tenancy Agreement dated 30 August 2019 ("Tenancy Agreement").
2. In terms of the Tenancy Agreement the rent was £600 per month.
3. The Respondent had failed to pay the rent in full for the period February 2022 to November 2023. The unpaid amount was £5900.

### **Reasons for the Decision**

The Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £600 per month. The Respondent had failed to pay the rent in full for the period February 2022 to November 2023. The unpaid amount was £5900.

### **Decision**

The Tribunal grants an order for payment of £5900.

### **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**

**Date: 18 March 2024**