



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/24/0071**

**Re: Property at Flat 4/1, 7 Hyndland Avenue, Glasgow, G11 5BF (“the Property”)**

**Parties:**

**Mr Sean Paulo, 4 Longbank Drive, Ayr, KA7 4SB (“the Applicant”)**

**Mr Naveed Mohammed, Flat 0/3, UNKNOWN, UNKNOWN (“the Respondent”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member)**

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

**[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the Respondent in the sum of £6,098.77.**

**Background**

[2] The Applicant seeks a Payment Order in respect of rent arrears said to have been accrued by the Respondent under a tenancy between the parties.

[3] The Application is accompanied by a copy of the tenancy agreement and rent statements.

**Case Management Discussion**

[4] The Application called for a Case Management Discussion (CMD) by conference call at 10am on 3 December 2024. The Applicant was represented by Mr Benson of Western Lettings. There was no appearance by or on behalf of the Respondent. The Application had been competently served on the Respondent by means of advertisement on the Tribunal website as his whereabouts could not reasonably be established. The Tribunal therefore decided to proceed in the absence of the Respondent. The Respondent had also sent a somewhat defiant email to the Tribunal which stated that he was now living in Dubai and that this was all a '*waste of time and money*'. The Respondent was therefore clearly aware of the Application.

[5] Having heard from the Applicant's representative and considered the whole facts and circumstances of the case, the Tribunal made the following findings in fact.

### **Findings in fact**

- I. *The Parties entered into a tenancy agreement in terms of which the Applicant let the Property to the Respondent;*
- II. *The tenant has accrued rent arrears of £6,098.77 and these sums are resting owed to the Applicant by the Respondent.*

### **Decision**

[6] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £6,098.77.

### **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.**

—

A McLaughlin

Legal Member:

Date: 3 December 2024