



**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/19/0159

**Re: Property at 35 Glen Lednock Drive, Craigmarloch, Cumbernauld, Glasgow,
G68 0EJ (“the Property”)**

Parties:

**Places For People Homes Limited, c/o Touchstone, 2 Crescent Office Park,
Bath, BA2 2AF (“the Applicant”)**

**Ms Cheryl Stallan, 35 Glen Lednock Drive, Craigmarloch, Cumbernauld,
Glasgow, G68 0EJ (“the Respondent”)**

Tribunal Members:

Lesley Ward (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the respondent shall make payment to the
applicants of the sum of one thousand one hundred and forty pounds (£1140).**

This was a case management discussion ‘CMD’ in connection with an application in terms of rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Rules, ‘the rules’ and s16 of the Housing (Scotland) Act 2014, ‘the Act’. The tribunal had before it the following copy documents:

1. Application dated 14 January 2019 and received on the 15 January 2019.
2. Short assured tenancy agreement for let of the property for 12 months from 4 July 2003.

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3. Rent arrears schedule.
4. Land certificate.
5. Sheriff Officer's execution of service of the application and CMD on the respondent dated 20 March 2019

Discussion

Ms Kirsty Morrison, paralegal of TC Young solicitors, attended the CMD on behalf of the applicants' agents Patten and Prentice solicitors. There was no appearance by the respondent and the tribunal had sight of the sheriff officer's execution of service dated 20 March 2019 as noted at item 10 above. The tribunal was satisfied that notification had been carried out in terms of rule 24 and proceeded with the CMO in terms of rule 29.

Ms Morrison stated, with reference to the rent statement, that rent arrears of £1170 are due as at today's date. The tribunal was not minded to grant any increase in the sum sought as the terms of rule 14A had not been complied with and an amended statement had not been lodged 14 days before the CMD.

Findings in fact

1. The applicants are the owners of the property.
2. The applicants' predecessors entered into a short assured tenancy with the respondent for let of the property for the initial period of 12 months from and including the 4 July 2003.
3. Rent arrears have accrued since October 2018.
4. The sum of £1140 was outstanding as at the date of the application. This sum remains due.

Reasons

The tribunal is satisfied that the respondent has received notice of today's CMD in terms of rule 24. The tribunal proceeded with the CMD in the respondent's absence in terms of rule 29. The tribunal considered that it had enough information before it today to make a decision and the procedure has been fair. The tribunal was satisfied on the evidence produced that the respondent's rent arrears of £1140 due as at 15 January 2019 remain outstanding. The tribunal was not minded to increase this sum by the further sums that have accrued since then as so notice has been given in terms of rule 14A. The tribunal did not consider that an award of expenses sought in the application was appropriate.

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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.

L. Ward

10 April 2019

Lesley A Ward Legal Member

Date