

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/19/1297

Re: Property at Flat 9, 60 Lumsden Street, Yorkhill, Glasgow, G3 8RH (“the Property”)

Parties:

SLM Property Ltd, c/o Fineholm Lettings, 14 Union Street, Glasgow, G1 3QQ (“the Applicant”)

Mr John Haughey, Formerly residing at Flat 9, 60 Lumsden Street, Yorkhill, Glasgow, G3 8RH and whose present whereabouts is unknown (“the Respondent”)

Tribunal Members:

Nicola Irvine (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted an order for payment against the Respondent in the sum of £1,922.01.

Background

The Applicant submitted an application seeking an order for payment in the sum of £1,922.01. That sum related to arrears of rent in respect of the Respondent's tenancy of the property at Flat 9, 60 Lumsden Street, Glasgow. The Tribunal intimated the application to the Respondent by advertisement on the Housing and Property Chamber website on 10th September 2019 and the date, time and place of today's case management discussion was published. No written representations have been received by the Tribunal.

The Case Management Discussion

The Applicant was represented by Miss Pamela Davren. The case management discussion proceeded in the absence of the Respondent. The Applicant's representative advised the Tribunal that there has been no contact from the Respondent and no payments made in respect of the arrears of rent. The Applicant's representative sought an order for payment in the sum of £1,922.01.

Findings in Fact

1. The Respondent entered into a Tenancy Agreement in respect of the property dated 20th December 2016.
2. The initial rent payable was £495 per month, payable in advance.
3. The monthly rent increased to £512.33 in June 2017 and to £530.26 in June 2018.
4. The Respondent has accrued rent arrears of £1,922.01 as at the date that the present application was submitted.
5. The Applicant is entitled to the Order sought for payment in the sum of £1,922.01 in respect of rent arrears.

Reason for Decision

The Applicant has produced documentation which shows that the rent arrears amounted to £1,922.01 at the time the present application was submitted. The Respondent failed to lodge written representations and failed to attend today's case management discussion. The Tribunal therefore proceeded on the basis of the documents lodged and the submissions made at the case management discussion. The Tribunal was satisfied that rent arrears are due by the Respondent and therefore granted the order for payment.

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.

Nicola Irvine

Legal Member/Chair

Date 24th October 2019