

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision 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/18/1909**

**Re: Property at Corriebreck, Laxdale Lane, Isle of Lewis, HS2 0DR (“the Property”)**

**Parties:**

**Mr Gordon Macleod, Woodside, Laxdale Lane, Isle of Lewis, HS2 0DR (“the Applicant”)**

**Mr John Malcolm Jivanandham, Corriebreck, Laxdale Lane, Isle of Lewis, HS2 0DR (“the Respondent”)**

**Tribunal Members:**

**Eleanor Mannion (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for rent arrears be made in the sum of £3750.**

An application was made by the Applicant, seeking an order for payment of rent arrears. The application noted that the monthly rent for the property is £625 and the rent arrears are increasing on a monthly basis by that amount. At the date of the application, the arrears amounted to £1250 and the Applicant sought, at that time, an order for this amount plus expenses.

The case management discussion took place by way of telephone case conference. Ms Jane McIver, representative for the Applicant was present, as was the Applicant himself, Mr Gordon Macleod. The Respondent, Ms Jivanandham was not present. Additional time was given at the start of the case management discussion to see if Mr Jivanandham would attend. As he did not, the case management discussion continued in his absence.

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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

Eleanor Mannion

Legal Member

Date

16/11/18