



**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/19/1922

**Re: Property at 36 Peasehill Fauld, Rosyth, Dunfermline, KY11 2DQ (“the
Property”)**

Parties:

**Mr Jeffrey Forrest, 109 Peasehill Gait, Rosyth, Dunfermline, KY11 2BD (“the
Applicant”)**

**Mr Jamie Dall, 36 Peasehill Fauld, Rosyth, Dunfermline, KY11 2DQ (“the
Respondent”)**

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that**

**This Application called for a Case Management Discussion on 6 August 2019
at 2pm in The Vine Conference Centre, 131 Garvock Hill, Dunfermline, KY11
4JU. The Applicant was personally present. There was no appearance by or on
behalf of the Respondent. The Application called alongside a conjoined case
relating to an Application for an Eviction Order.**

**The Applicant sought a Payment Order in respect of rent arrears said to have
accrued in respect of a tenancy agreement between the parties.**

**The Applicant had sought to amend the sum claimed as per Tribunal Rule 14A
in advance of the Hearing. This application had been intimated to the
Respondent on 23 July 2019 which provided the Respondent with the requisite
14 days notice required by Rule 14A. The Tribunal accordingly granted this
application to amend the sum claimed.**

The Tribunal noted, after being addressed by the Applicant on bank statements lodged with the Application, that it appeared that at today's date there were rent arrears of £3,190.00.

The Tribunal considered these sums were lawfully due by the Respondent to the Applicant in respect of the tenancy between the parties. The Tribunal accordingly made a Payment Order in the amount of £3,190.00. The Applicant asked for interest to run on that amount. The Tribunal ordered interest to run on the sum due at the rate of 8 per cent per annum from today's date until 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.

Andrew McLaughlin

6 August 2019

Legal Member/Chair

Date 6 / 1 /