



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/20/0371

Re: Property at 27 Lugar Street, Coatbridge, ML5 3JS (“the Property”)

Parties:

Miss Heather Hume, Mr Derek Griffith, 14 Portencross Road, West Kilbride, North Ayrshire, KA23 9ES (“the Applicant”)

Miss Leighann Wright, 27 Lugar Street, Coatbridge, ML5 3JS (“the Respondent”)

Tribunal Members:

George Clark (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £1,950.

Background

By application, received by the Tribunal on 2 February 2020, the Applicant sought an Order for Payment against the Respondent in respect of unpaid rent for the Property that had become lawfully due by the Respondent to the Applicant. The sum sought was £1,950.

The application was accompanied by copies of a Private Residential Tenancy Agreement between the parties, commencing on 15 May 2019 at a rent of £390 per month and a Rent Statement showing arrears as at 28 January 2020 of £1,950.

On 28 February 2020, the Tribunal advised the Parties of the date, time and venue for a Case Management Discussion and the Respondent was invited to make written representations by 20 March 2020. The Respondent did not make any written representations to the Tribunal.

The Case Management Discussion scheduled for 1 April 2020 was postponed due to the COVID-19 lockdown restrictions.

Case Management Discussion

A Case Management Discussion was held by means of a telephone conference call on the afternoon of 15 July 2020. The Applicant participated in the conference call. The Respondent did not participate and was not represented. The Applicant stated that no rent payments had been received since the date of the application and asked the Tribunal to grant the Order sought without a Hearing.

Reasons for Decision

Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it all the information and documentation it required and that it could determine the application without a Hearing. The Tribunal was satisfied that the sum sought in the application was lawfully due by the Respondent to the Applicant.

Decision

The Tribunal determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £1,950.

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.

Legal Member/Chair

15 July 2020
Date