



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/19/2740

Re: Property at 54 Stewart Crescent, Newmains, ML2 9DJ (“the Property”)

Parties:

Ms Yorkjean Cheung, First Property, PO Box 11337, Paisley, PA3 9EW (“the Applicant”)

Mr William Robert, 54 Stewart Crescent, Newmains, ML2 7PG (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member)

Decision (in absence of the Respondent)

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

- Background

This is an application for an order for payment of arrears of rent alleged to be owed by the Respondent to the Applicant in terms of a private residential tenancy at the Property. It called for a case management discussion at 2pm on 11 November 2019. The Applicant was not present in person, but was represented by Mr Ritchie of Hardy MacPhail Solicitors. The Respondent was not present or represented.

- Findings in Fact

The following facts set out in the application were not disputed by the Respondent:

1. The Respondent leased the Property from the Applicant in terms of a private residential tenancy commencing on 14 December 2018. In terms of that tenancy agreement, rent of £425 was payable on 14 December 2018 and on the 14th of each month thereafter.

2. The Respondent paid £425 on 14 December 2018 and again on 28 January 2019, but has not otherwise made any payment to the Applicant. At the time of this application being made, on 3 September 2019, the Respondent consequently owed the Applicant £2,975 in rent arrears, which is the sum sought.

- Reasons for Decision

3. Since the Respondent owes the Applicant the amount sought, an order for payment of that amount should be made.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of £2,975 (TWO THOUSAND NINE HUNDRED AND SEVENTY-FIVE POUNDS STERLING).

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.

N. Young

Legal Member/Chair

11 NOVEMBER 2019

Date