

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/19/2903

Re: Property at 75 Broomlands Drive, Irvine, KA12 0EA ("the Property")

Parties:

Mr Keith Fairley, 28 Carrick Road, Ayr, KA7 2RB ("the Applicant")

Mr Ian Hart, 21 David's Crescent, Kilwinning, KA13 6JL ("the Respondent")

Tribunal Members:

Alison Kelly (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 payment in the amount of £1290.97 should be made.

Background

On 16th September 2019 the Applicant's Agent lodged an application under Rule 111 of the Tribunal's Procedural Rules, seeking an order for payment of rent arrears.

Lodged with the Application were:

1. Copy Private Residential Tenancy Agreement
2. Rent Ledger
3. Landlord Authorisation

Case Management Discussion

The Applicant was represented by Steven Spence of Lomond Estate Agents Ltd. The Respondent did not appear, and was not represented.

Mr Spence sought an order for payment in the amount of £1290.97, in accordance with the Rent Ledger already produced. He presented an up to date Ledger showing that the figure was the same. He confirmed that the deposit had been recovered from the Tenancy Deposit Scheme in relation to damage and the removal of items left by the Respondent.

Findings In Fact

1. The parties entered in to a Tenancy Agreement in respect of the property;
2. The rent was £450 per month;
3. The rent arrears outstanding are £1290.97.

Reasons For Decision

The rent arrears are £1290.97.

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.

Alison Kelly

Legal Member/Chair

18/11/19

Date