



**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/19/3878

Re: Property at Flat 1/2, 41 Erskine Street, Dundee, DD4 6RJ (“the Property”)

Parties:

Mrs Julie Letley, 71 Bay Road, Wormit, Newport on Tay, DD6 8LX (“the Applicant”)

Mr Gary Valentine, Flat 1/2, 41 Erskine Street, Dundee, DD4 6RJ (“the Respondent”)

Tribunal Members:

Mark Thorley (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 by the respondent to the applicant of the sum of £960 be made.

Background

1. The applicant applied to the First-tier Tribunal under Rule 70 seeking an order of payment by the respondent of the sum of £960 representing three months of outstanding rent. Accompanying the application was a Private Rented Tenancy Agreement and payment record.
2. The Private Rented Tenancy Agreement was executed on 8 September 2018.
3. Intimation of the application was made to the respondent and served by Sheriff Officers on 9 January 2020. No written representations had been received from the respondent.

M. Thorley

Case Management Discussion

1. At the case management discussion Mrs Davie appeared from Direct Lettings on behalf of the applicant. The respondent did not appear nor was he represented.

Findings in Fact

1. That a contract existed between the parties dated 5 September 2018 for the respondent to let the premises at 1/2, 41 Erskine Street, Dundee DD4 6RJ.
2. Rent was due to be paid at the rate of £320 per calendar month.
3. The respondent had failed to pay rent in October, November or December 2019 and accordingly the sum of £960 was outstanding as at the date of the application.

Reasons for decision

1. The paperwork was in order. The application had been served on the respondent by sheriff officers. The respondent had provided no written response nor had attended. The paperwork provided by the applicant was in order. The representative for the applicant spoke to the outstanding arrears. That position was accepted by the Tribunal.

Decision

To make an order for payment by the respondent to the applicant in the sum of £960.

M. Thorley

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.

M. Thorley

Legal Member/Chair

10 February 2020

Date