



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/EV/18/0518

Re: Property at Ladywell Cottage, Legerwood, Earlstongreenlaw, TD4 6AS (“the Property”)

Parties:

Mr Andrew Crompton, 30 Auchingane, Edinburgh, EH10 7HX (“the Applicant”)

Ms Jane Adam, Ladywell Cottage, Legerwood, Earlstongreenlaw, TD4 6AS (“the Respondent”)

Tribunal Members:

David Preston (Legal Member) (“the tribunal”)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent pay to the Applicant the sum of £9700 as arrears of rent under the tenancy agreement between the parties.

- **Background**

By application dated 6 March 2018 the Applicant applied to the First-tier Tribunal under Rule 70. The application was accompanied by: a copy of the tenancy agreement dated 20 February and 19 March both 2016; and Rent Statement up to February 2018.

- **The Case Management Discussion**

Ms Pat Thom, Solicitor, appeared locally on behalf of the Applicant. There was no appearance by or on behalf of the Respondent. Papers had been served on the Respondent by Sheriff Officers on 17 April 2018. The Respondent had submitted written representations by letter dated 20 April 2018 in which she said that she did not intend to attend the case management discussion.

Ms Thom advised that no further rent had been received by the Applicant and that the Rent Statement indicated that rent arrears totalling £9700 had accrued by February 2018. The Applicant acknowledged that further arrears had accrued since that time but Ms Thom moved the tribunal to grant an order for payment restricted to the sum referred to in the application of £9700.

The tribunal noted that the written representations from the Respondent acknowledged the rent arrears.

- Findings in Fact
 1. The tenancy between the parties was constituted by Tenancy Agreement dated 20 February and 19 March both 2016.
 2. Rent arrears amounting to £9700 had accrued by the date of the Notice under section 19 of the Act.
 3. The Respondent had received all relevant paperwork which was in order.
- Decision

The tribunal granted the order for payment as sought.

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.

D Preston

Chairman

17 May 2018