

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/19/2514

Re: Property at 3/3 490 Argyle Street, Glasgow, G2 8AJ (“the Property”)

Parties:

Mrs Amy Xunyun McInnes, 6 Lochview Place, Glasgow, G33 1QB (“the Applicant”)

Mr Florin-Adrian Siscu, Mrs Slav Aurelia, 3/3 490 Argyle Street, Glasgow, G2 8AJ (“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 granted without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of Four Thousand Six Hundred Pounds (£4,600)

Background

By application, received by the Tribunal on 12 August 2019, the Applicant sought an Order for Payment against the Respondent in respect of arrears of rent that had become lawfully due by the Respondent to the Applicant. The sum sought was £2,600.

The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties, commencing on 2 February 2019 at a rent of £1,000 per month and a Rent Statement showing arrears as at 2 July 2019 of £2,600.

On 4 October 2019, 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 25 October 2019. The Respondent did not make any written representations to the Tribunal, but on 10 September 2019, the Applicant provided

an updated Rent Statement showing arrears as at 2 September 2019 of £4,600 and requested leave to amend the application to increase the amount sought to £4,600.

Case Management Discussion

A Case Management Discussion was held at Glasgow Tribunals Centre on the afternoon of 7 November 2019. The Applicant attended and asked the Tribunal to grant the application without a Hearing. The Respondent was not present or represented.

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 would determine the application without a Hearing.

The Tribunal was satisfied that the sum sought was lawfully due by the Respondent to the Applicant.

Decision

The Tribunal determined that the application should be granted without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of Four Thousand Six Hundred Pounds (£4,600)

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.

George Clark

Legal Member/Chair

7 November 2019

Date