



**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/19/3870

Re: Property at 160 Potterhill Road, Glasgow, G53 5UU (“the Property”)

Parties:

**Mrs Josephine McEwan, 70 Argyle Avenue, Dumbarton, G82 3NS per Ms
Shabilla Sadiq, TCH Law (“the Applicant”)**

**Mrs Susan McIntosh - previously known as Green, 160 Potterhill Road, Glasgow,
G53 5UU per Ms Christine McKellar, Govan Law Centre, (“the Respondent”)**

Tribunal Members:

David Preston (Legal Member)

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 £180
as arrears of rent under the tenancy agreement between the parties.**

Background

1. By application dated 4 December 2019 the Applicant applied to the First-tier Tribunal under Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the rules”).
2. The tribunal considered the following papers:
 - Copy tenancy agreement dated 13 February 2017;
 - Rent Statement up to 4 December 2019;
 - Emails from Ms McKellar dated 26 February and 3 March 2020.

The Case Management Discussion (“CMD”)

3. Ms Sadiq participated by telephone on behalf of the applicant. The respondent was neither present nor represented.
4. The email from Ms McKellar dated 3 March 2020 stated that the respondent admits that she has accrued rent arrears of £180. The email advanced some personal reasons for the situation, but no application had been made for a Time to Pay Order and the tribunal could have no regard to the circumstances.
5. The application to the tribunal sought an order for payment against the respondent in the sum of £180

Findings in Fact

6. The parties entered into a short assured tenancy agreement dated 13 February 2017.
7. The rent contractually due is £550 per calendar month.
8. The respondent admitted that the rent arrears of £180 remained outstanding at the date of the CMD.

Reasons for Decision

9. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 states that the tribunal may do anything at a Case Management Discussion which it may do at a hearing, including making a decision. The tribunal decided that, on the basis of the information presented to it, to determine the application at the Case Management Discussion.
10. The tribunal is satisfied that at the date of the CMD arrears of rent totalling £180 remained outstanding.

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.

David Preston

5 March 2020

Legal Member/Chair

Date