



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Chamber Ref: FTS/HPC/CV/18/3002

Re: Property at 6 Larchgrove Road, Glasgow G32 OAA (“the Property”)

Parties:

Dale Bahadur, 52 Bramber Road, London W14 9PB (“the Applicant”)

Krystian Sachmerda, 6 Larchgrove Road, Glasgow G32 OAA (“the Respondent”)

Tribunal Member:

Joan Devine (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 should be made.

Background

The Applicant sought an order for payment of £3,430 in respect of arrears of rent. The Applicant had lodged with the Tribunal Form F. The documents produced were a Tenancy Agreement dated 9 September 2012 and a statement of outstanding rent. A copy title sheet was lodged with the Tribunal which showed that the Applicant was the proprietor of the Property.

Case Management Discussion

A case management discussion took place before the Tribunal at 11.30 am on 15 January 2019 at the Glasgow Tribunals Centre, 20 York Street, Glasgow G2 8GT. The Applicant was represented by George Reynolds of Smart Move Estate Agents. Mr Reynolds provided to the Tribunal a letter from the Applicant confirming his authority to act. There was no appearance on behalf of the Respondent.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a Tenancy Agreement for the Property dated 9 September 2012.
2. The period of the Lease was for 6 months from 3 October 2012.
3. The rent in terms of the Tenancy Agreement was £450 per month.
4. George Reynolds of Smart Move Estate Agents is authorised to act on behalf of the Applicant.
5. The Respondent had failed to make payment of rent due during the period 3 October 2015 to 3 November 2018 as detailed on the statement lodged with the Application. The total outstanding was £3,430.
6. Notice of the date of the hearing had been given to the Respondent by Sheriff Officer on 21 December 2018.

Reasons for the Decision

The Tribunal determined to make an Order for payment of £3,430. Rent was lawfully due in terms of clause 3.1 of the Tenancy Agreement at the rate of £450 per month. The rent had not been paid although due during the period 3 October 2015 to 3 November 2018 as detailed on the statement lodged with the Application.

Decision

For the foregoing reasons, the Tribunal determined to make an Order for payment

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.

Joan Devine

Joan Devine
Legal Member

15 January 2019
Date