



**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/18/0537**

**Re: Property at The Manse of Mearns, Mearns Road, Newton Mearns, Glasgow,  
G77 5DE (“the Property”)**

**Parties:**

**The Church of Scotland, 121 George Street, Edinburgh, EH2 4YR (“the  
Applicant”)**

**Mr David MacFarlane, Mrs Catriona MacFarlane, 17 Galston Avenue, Newton  
Mearns, Glasgow, G77 5SF (“the Respondents”)**

**Tribunal Members:**

**Alison Kelly (Legal Member)**

The Application is one for payment of rent arrears.

The Applicant was represented by Susan Killean, one of their in house solicitors. The Respondents did not appear and were not represented.

The papers, and notice of the hearing, had been served properly by Sheriff Officers.

Miss Killean explained that the Applicant had entered in to a tenancy agreement with the respondents for a period from 5<sup>th</sup> August 2016 until 6<sup>th</sup> February 2017. Rent payments were missed from very early on in the tenancy and notice to quit was served.

A court action was raised for possession, and decree was granted finally on 17<sup>th</sup> November 2017. Sheriff Officers proceeded to evict the Respondents on 4<sup>th</sup> January 2018.

Miss Killean referred to the rent statement lodged with the application. She confirmed that the Respondents’ deposit of £1450 had been paid to the Applicant by the tenancy deposit scheme, and had been applied to the rent account. The figure for the outstanding rent arrears stood at £20,280, and she asked the Tribunal to make an order for payment in that amount.

The Tribunal determined that due to the lack of response from the Respondents there was no requirement for a full hearing, and found that the sum of £20,280 was due to the Applicant by the Respondents based on the rent statement lodged by the Applicants and the submissions made by Miss Killean.

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the Respondents should pay to the Applicant the sum of £20,280.

### **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.**

**A Kelly**

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Legal Member/Chair

10/5/18

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Date