

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision 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/18/2657

Re: Property at 24 Mossgiel Road, Ayr, KA7 3DL (“the Property”)

Parties:

Places for People Homes Limited, c/o Touchstone, 2 Crescent Office Park, Clarks Way, Bath, BA2 2AF (“the Applicants”)

Ms Rachel Stafford, 24 Mossgiel Road, Ayr, KA7 3DL (“the Respondent”)

Tribunal Members:

Lesley Dowdalls (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order be granted for payment by the Respondent to the Applicants in the sum of £1,020, said sum being due in respect of arrears of rental payments due.

The Applicants were not in attendance but were represented by Mr Slack, Trainee Solicitor.

The Applicants produced Rent statement to 1st October 2018, showing arrears of £1,460. The application was dated 4th October 2018. Since that date, the Respondent had made payment of £970 on 29th November in respect of rent and part payment of arrears. The sum outstanding as of today is £1,020.

The Respondent did not attend today, and provided no written representations. She had made no contact with the Tribunal to explain her absence. In the absence of the Respondent, no contrary information was produced to the tribunal in opposition to the granting of the order.

The tribunal allowed the sum sued for to be amended, by being reduced to £1,020. The tribunal thereafter disposed of the case today on the basis of the written and oral submissions made on behalf of the Applicants, and granted the order for payment.

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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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

Lesley Dowdalls

Legal Member/Chair

4th December 2018

Date