

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016 (Act)**

**Chamber Ref: FTS/HPC/CV/18/3182**

**Re: Property at 99 Glencairn Street, Stevenston, KA20 3BL ("the Property")**

**Parties:**

**Ms Yan Li, 32 Kirkgate, Irvine, KA12 0DG ("the Applicant")**

**Mr Robert Tonner, 99 Glencairn Street, Stevenston, KA20 3BL ("the Respondent")**

**Tribunal Members:**

**Alan Strain (Legal Member) and Gerard Darroch (Ordinary Member)**

**Decision (in absence of the Applicant)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the order form payment by the Respondent to the Applicant in the sum of £408.45**

**Background**

This is an application for payment in respect of alleged rent arrears in terms of section 71(1) of the Act and Rule 111 of the Tribunal's Procedural Rules.

The Tribunal had regard to the following documents:

1. Application received 24 November 2018;
2. Tenancy Agreement commencing 14 June 2018;
3. Letter from Applicant to Tribunal dated 9 November 2018;
4. Email from Applicant to the Tribunal dated 18 January 2019 enclosing up to date rental arrears statement;
5. Emails from the Applicant of 21/25 January 2019 advising that she was not going to attend the Hearing and that the Hearing should proceed in her absence;
6. Written Representations and enclosures from the Respondent dated 22 January 2019;

## Hearing

The case called for a Hearing on 28 January 2019. The Respondent was present. The Applicant was neither present nor represented.

The Tribunal considered the Applicant's emails of 21-25 January and determined that the Hearing should proceed. The Tribunal then heard evidence from the Respondent, considered the written submissions and documentary evidence that had been submitted by the Parties.

The Tribunal, so far as material, made the following findings in fact:

1. The Parties had entered in to a Tenancy Agreement commencing 14 June 2018;
2. The Respondent was in arrears of rent to the Applicant in the sum of £408.45

## Reasons

The Respondent accepted that he was due the sum of £408.45 in respect of rent arrears. He was going to contact the Managing Agents to arrange a repayment Schedule.

The amount of the rent arrears being agreed, the Tribunal granted the application. The Decision of the Tribunal was unanimous.

## 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.**

Alan Strain

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Legal Member/Chair

4 February 2019  
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Date