

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



**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**

**Chamber Ref: FTS/HPC/CV/19/3965**

**Re: Property at 8 Teacher Street, Hamilton, ML3 8RR (“the Property”)**

**Parties:**

**Mrs Joanne McVee, 15 Redwood Crescent, Hamilton, ML3 8SZ (“the Applicant”)**

**Miss Karina Brown, 8 Teacher Street, Hamilton, ML3 8RR (“the Respondent”)**

**Tribunal Members:**

**Mark Thorley (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 by the respondent to the applicant of the sum of £8400 with interest at the rate of 4% per annum from the date of the order until payment.**

1. The applicant applied to the First-tier Tribunal under Rule 111 seeking payment of the sum of £6,000 with interest. This related to rent arrears. Accompanying this was a Private Residential Tenancy Agreement dated 30 April 2019 and a Rent Statement showing arrears as at 10 December 2019.
2. The application had been served by Sheriff Officers on the respondent. There was no written response by the respondent.

**M. T**

## **Case Management Discussion**

1. At the case management discussion Ms Donnelly appeared on behalf of the applicant. There was no appearance by or for the respondent.

## **Findings in Fact**

1. A tenancy agreement existed between the parties in respect of the property at 8 Teacher Street, Hamilton ML3 8RR by way of Private Residential Tenancy Agreement dated 30 April 2019.
2. In terms of that Agreement the respondent contracted to pay rent at the rate of £1,200 per calendar month.
3. As at 10 December 2019 the amount was £6,000.
4. The updated figure as at 7 February 2020 was £8,400.

## **Reasons for decision**

1. All the paperwork was in order. There was no appearance by or for the respondent. The respondent had not made any written representations.
2. The updated rent statement had been lodged timeously and sent to the respondent. It amounted to 7 months of non payment of rent.

## **Decision**

To make an order for payment by the respondent to the applicant of the sum of £8400 with interest at the rate of 4% from the date of the order until payment

**M. T**

## 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.

M. T

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Legal Member/Chair

*7 February 2020*  
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Date