



**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/19/2470

Re: Property at 49 Wren Road, Greenock, PA16 7NH (“the Property”)

Parties:

**Ms Carolyn McWilliams, c/o West Renfrew House, 26 Brougham Street,
Greenock, PA16 8AD (“the Applicant”)**

Ms Danielle Miller, 49 Wren Road, Greenock, PA16 7NH (“the Respondent”)

Tribunal Members:

Alison Kelly (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 in the amount of £1760 should
be granted.**

Background

On 6th August 2019 the Applicant’s Agent lodged an application under Rule 70 of the
Tribunal’s Rules of Procedure, seeking a payment order in the amount of £1760 for
rent arrears.

Lodged with the Application were:

1. Copy lease
2. Rent Statement

Case Management Discussion

The Applicant was represented by Ali Patrick of Inverclyde Letting Agency. The
Respondent did not appear and was not represented.

The Chairperson explained the purposes of a Case Management Discussion, in terms of Rule 17. She asked if the Respondent was still living in the property. Miss Patrick explained that the Applicant already had an order from the Tribunal for eviction of the Respondent. Rent arrears had started to accrue in March 2019, and the Respondent did not pay for four months.

After the eviction order was granted the Respondent arranged for her housing benefit to be paid direct to the Applicant's agent, and made an arrangement regarding payment of the arrears. On that basis the Applicant decided not to evict the Respondent immediately. However, the Respondent paid nothing towards the arrears.

Miss Patrick produced an up to date rent statement, confirming that the arrears were £1760.

Findings In Fact

1. The parties entered in to a Tenancy Agreement for rent of the property;
2. The monthly rent was £440;
3. As at the date of the case Management Discussion thee arrears stand at £1760.

Reasons For Decision

The Respondent owes to the Applicant the sum of £1760.

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.

Alison Kelly

Legal Member/Chair

7/10/19

Date