



**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/21/0418

Re: Property at 34 Doon Place, Kirkintilloch, Glasgow, G66 2RB (“the Property”)

Parties:

Mr Andrew Shlyshen, 2 Jay Avenue, Newton Flotman, Norwich, NR15 1RD (“the Applicant”)

Mr Stuart Barbour, 34 Doon Place, Kirkintilloch, Glasgow, G66 2RB (“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 £3775 should be made.

Background

On 22nd February 2021 the Applicant lodged an application under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”), seeking payment of arrears of rent in the amount of £5175.

Lodged with the application were:-

1. The Tenancy Agreement showing a start date of 29th September 2018 and rent due of £575 per month;
2. Rent Statement

On 27th May 2021 the application and Notice of Case Management Discussion were served on the Respondent by Sheriff Officer.

Case Management Discussion

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was represented by Sharon Cook of Coda Estates Ltd. There was no attendance by the Respondent or any representative on his behalf.

The Tribunal explained the purposes of a CMD in terms of Rule 17 of the Rules.

Miss Cook said that she was seeking an order for payment of the reduced amount of £3775. The parties had entered in to a payment plan and the Respondent was maintaining the arrangements. He had made payments in March, April and June reducing the arrears. There was no eviction application ongoing and as long as he maintained the arrangement the Applicant would not be seeking to evict.

Findings in Fact

1. The parties entered into a Tenancy Agreement in respect of the property;
2. The Tenancy Agreement had a commencement date of 29th September 2018;
3. The monthly rent was £575;
4. At the date of lodging of the application the arrears stood at £5175;
5. At the date of the Case Management Discussion the arrears stood at £3775.

Reasons for Decision

The Respondent was in arrears of £3775.

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.K.

Legal Member/Chair

01/07/2021

Date

