



**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/21/0305

Re: Property at 93 Normand Road, Dysart, Kirkcaldy, KY1 2XR (“the Property”)

Parties:

Mr Ronald Kasner, 93 Normand Road, Dysart, Kirkcaldy, KY1 2XR (“the Applicant”)

Ms Lesley Dykes, c/o HMP Cornton Vale, Cornton Road, Stirling, FK9 5NU (“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 £1755.07 should be made.

The Applicant lodged an application on the 4th February 2021 under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”), seeking an order for payment of rent arrears.

Lodged with the application were:-

1. The Tenancy Agreement showing a start date of 10th September 2018 and a monthly rent of £900
2. Rent Statement

The application was served on the Respondent by Sheriff Officer on 7th April 2021.

The Respondent lodged a Response with the Tribunal on 8th April 2021. She outlined her circumstances in that she is currently serving a prison sentence for fraud, and on her release she will have only pension credits to live on. She offered the deposit of £900 in full and final settlement.

Case Management Discussion

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant represented himself. There was no appearance by the Respondent nor by any representative on her behalf.

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

The Applicant’s Representative confirmed that he was an order for payment in the amount of £1755.07.

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 10th September 2018;
3. The monthly rent was £900;
4. The Respondent vacated the property on 21st December 2020;
5. The arrears are £2655.07;
6. The Respondent had paid of a deposit of £900 and this was repaid to the Applicant;
7. The arrears were therefor £1755.07.

Reasons for Decision

The Respondent owes the Applicant the sum of £1755.07.

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

Date: 07/05/2021

