



**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/21/1467

Re: Property at 18 Kirkshaws Avenue, Coatbridge, ML5 5BX (“the Property”)

Parties:

Mr Perwaiz Akhtar, 10 Avonhead Road, Cumbernauld, Glasgow, G67 4RA (“the Applicant”)

Mrs Mhairi Colquhoun, 18 Kirkshaws Avenue, Coatbridge, ML5 5BX (“the Respondent”)

Tribunal Member:

Nicola Irvine (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted an order for payment against the Respondent in favour of the Applicant in the sum of £2,755.00.

[1] Background

The Applicant submitted an application seeking an order for payment in respect of rent arrears said to have been incurred by the Respondent in respect of her occupation of the property. The Tribunal intimated the application to the parties by letter of 26 July 2021 and advised them of the date, time and conference call details of today’s case management discussion. In that letter, the parties were also told that they required to take part in the discussion and were informed that the Tribunal could make a decision today on the application if the Tribunal has sufficient information and considers the procedure to have been fair. The Respondent was invited to make written representations by 16 August 2021. No written representations were received by the Tribunal.

[2] The case management discussion

The Applicant was represented by Mr Paul Clark. The case management discussion took place by conference call and in the absence of the Respondent. The Applicant's representative relied upon the updated rent statement lodged, which shows that arrears of £2,755 were due as at 24 August 2021. The Applicant's representative explained that the most recent payment of £495 was paid in as part of the Respondent's universal credit claim and that the Respondent has not made a payment towards rent arrears since 6 May 2021.

[3] Findings in Fact

- i. The parties entered into a short assured tenancy agreement dated 27 June 2017 which commenced 5 July 2017.
- ii. The rent payable is £595 per month, payable in advance.
- iii. As at 24 August 2021, the Respondent incurred rent arrears amounting to £2,755.00.

[4] Reason for Decision

The Tribunal proceeded on the basis of the documents lodged and the submissions made at the case management discussion. The Respondent had an opportunity to make written submissions, and failed to do so. She also failed to participate in the case management discussion. The Tribunal was satisfied that the Applicant had vouched the rent arrears (by reference to the rent statement). The Tribunal was satisfied that the Respondent is liable to pay rent arrears and therefore granted the order for payment.

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.

N. I

Legal Member/Chair

30 August 2021

Date