



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the Act”) Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)**

**Chamber Ref: FTS/HPC/CV/22/1061**

**Re: Property at Flat 0/2, 41 Barnes Street, Barrhead, G78 1EH (“the Property”)**

**Parties:**

**Glasgow Packaging & Print Ltd, 32 Cogan Street, Barrhead, Glasgow, G78 1EJ (“the Applicant”) per their agents PRG Partnership, solicitors, 1, Kilbowie Road, Clydebank, G81 1TL (“the Applicant’s Agents”)**

**Mr Christopher Reed, Flat 0/2, 41 Barnes Street, Barrhead, Glasgow, G78 1EH (“the Respondent”)**

**Tribunal Members:**

**Karen Moore (Legal Member) and Mary Lyden (Ordinary 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 of ONE THOUSAND AND EIGHTY NINE POUNDS AND EIGHTEEN PENCE (£1,089.18) STERLING with interest at EIGHT (8) per centum per annum from the date hereof be granted.**

1. By application received between 11 April 2022 and 3 May 2022 (“the Application”), the Applicant’s Agents applied to the Tribunal for an Order for payment of rent amounting to £1,089.18 due by the Respondent to the Applicant to March 2022 in respect of a private residential tenancy agreement between the Parties. The Application comprised a copy of the tenancy agreement and a statement of rent at £300.00 per month due and paid showing arrears of £1,089.18 due and owing at 10 March 2022.
2. The Application was accepted by the Tribunal and a Case Management Discussion (the “CMD”) was fixed for 27 September 2022 at 10.00 by telephone conference. The CMD was intimated to the Respondent by Sheriff Officers on 30 August 2022.

## **CMD**

3. The CMD took place on 27 September 2022 at 10.00 by telephone conference. Neither Party took part. The Applicant was represented by Mrs. Jennifer Quinn of the Applicant's Agents. The Respondent was not represented and did not submit any written representations.
4. Mrs. Quinn confirmed that the sum sought remained due and owing. She explained that, although the Respondent had made three payments totalling £825.00 since the Application was made, rent in excess of that sum had accrued and the sum due by the Respondent exceeds the sought sum sought.
5. The Tribunal, having regard to Rule 17(4) of the Rules which states that the Tribunal "may do anything at a case management discussion .....including making a decision", proceeded to determine the Application on the information before it.

### **Findings in Fact.**

6. From the Application and the CMD, the Tribunal found the following:
  - i) There is a tenancy of the Property between the Parties;
  - ii) The monthly rent is £300.00;
  - iii) Rent in excess of £1,089.18 is due and owing by the Respondent to the Applicant.

### **Decision of the Tribunal and Reasons for the Decision.**

7. From the Findings in Facts, the Tribunal is satisfied that the sum of £1,089.18 is due and owing by the Respondent to the Applicant, and so, in terms of Rule 17(4) of the Rules, the Tribunal grants an Order for payment in that sum together with interest thereon at 8% per annum as sought in the Application.

### **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.**

**Karen Moore**

27/09/2022

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**Legal Member/Chair**

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**Date**

