



**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/22/1605**

**Re: Property at 35 Kingfisher Place, Dunfermline, Fife, KY11 8JJ (“the  
Property”)**

**Parties:**

**Mr Richard Eastham, 26414 Crimson Bluff Lane, Katy, Texas ZIP 77494, United  
States (“the Applicant”)**

**Mr Ali Hassan Shabbir, UNKNOWN, UNKNOWN (“the Respondent”)**

**Tribunal Members:**

**Andrew Upton (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the Respondent is liable to make payment to the  
Applicant in the sum of TWO THOUSAND THREE HUNDRED AND TWENTY  
NINE POUNDS AND TEN PENCE (£2,329.10) STERLING**

**STATEMENT OF REASONS**

1. This Application called for its Case Management Discussion by teleconference call on 15 November 2022. The Applicant was represented by Ms Reid. The Respondent was neither present nor represented.
2. In this Application the Applicant seeks payment of alleged rent arrears from the Respondent in the sum of £2,329.10. The Application and notification of the CMD was served on the Respondent by website advertisement on 5 October 2022. Ms Reid invited the Tribunal to grant the order for payment sought.

3. In terms of Rule 17(4) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017, the Tribunal may do anything at a CMD that it may do at a Hearing including make a Decision. In terms of Rule 2, when making a Decision the Tribunal requires to have regard to the overriding objective to deal with proceedings justly; including the requirement to avoid unnecessary delay.
4. Service of the Application and notification of the CMD has been given to the Respondent in terms of the Rules of the Tribunal. The Respondent did not appear to contest the Application. The Tribunal is therefore content that the Application is not in dispute at this time. There is accordingly no benefit in fixing a Hearing in this case, which would only serve to cause unnecessary delay.
5. Accordingly, the Tribunal determined that the Respondent is under contractual obligation to make payment to the Applicant, and that he is liable to make payment in the sum of £2,329.10. The Tribunal granted a payment order in that sum.

### **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.**

**Andrew Upton**

**15<sup>th</sup> November 2022**

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**Legal Member/Chair**

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**Date**