



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 70(1) of the Private Housing  
Tenancies (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/22/1686**

**Re: Property at 550 Cathcart Road, 2/1, Glasgow, G42 8YG (“the Property”)**

**Parties:**

**Mrs Majabeen Muhammad, 23 Graffham Avenue, Glasgow, G46 6EL (“the Applicant”)**

**Mr Mohammad Sohail Qasim, Mrs Hina Qasim, 150 Jamieson Street, 0/2,  
Glasgow, G42 7HW (“the Respondent”)**

**Tribunal Members:**

**Ruth O'Hare (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to make an order for payment in the sum of Two thousand one hundred pounds (£2100) Sterling against the Respondent**

**Background**

1 By application to the Tribunal, the Applicant sought an order for payment in the sum of £2100 against the Respondents together with interest from the date of decision until payment. In support of the application the Applicant provided:-

- (i) Private Residential Tenancy Agreement between the parties;
- (ii) Rent Statement; and
- (iii) Copy letters from the Applicant to the Respondents regarding rent arrears.

- 2 By Notice of Acceptance of Application the Legal Member with delegated powers of the Chamber President intimated that there were no grounds on which to reject the application. A Case Management Discussion was therefore assigned for the 28 September 2022 to take place by teleconference. A copy of the application paperwork together with notification of the date and time of the Case Management Discussion and instructions on how to join the teleconference was intimated to the Respondents by Sheriff Officers.

### **Case Management Discussion**

- 3 The Case Management Discussion took place on 28 September 2022. The Applicant was represented by Mark King from G4 Properties. Mr Imran Haq was also present on behalf of the Applicant. The Respondents were not in attendance. The Legal Member noted that they had been served with the application paperwork and therefore determined to proceed in their absence.
- 4 Mr King advised that the Respondents had left the property with arrears in the sum of £2100. The Applicant sought an order for payment of that sum. There had been no payments forthcoming.

### **Findings in Fact and Law**

- 5 The parties entered into a Private Residential Tenancy Agreement dated which commenced on 22<sup>nd</sup> October 2019.
- 6 In terms of Clause 7 of the said Tenancy Agreement the Respondents undertook to make payment of rent at the rate of £525 per calendar month.
- 7 The Respondents are liable to pay the sum of £2100 to the Applicant in unpaid rent.
- 8 Despite repeated requests the Respondents have refused or delayed to make payment of the sum due.

### **Reasons for Decision**

- 9 The Tribunal was satisfied that it could make a determination of the application at the Case Management Discussion and that to do so would not be detrimental to the parties. The Respondents had received proper notification of the application paperwork and had not taken the opportunity to participate in the proceedings.
- 10 Based on its findings in fact, the Tribunal was satisfied that the Respondents were liable to pay the amended sum of £2100. The Tribunal accepted the evidence of the Applicant that the Respondents had a contractual obligation to make payment of rent at the rate of £525 per month and had repeatedly failed to obtemper this.

There was nothing before the Tribunal to contradict the position put forward by the Applicant.

- 11 The Tribunal therefore made an order for payment against the Respondents in the sum of £2100.

### **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.**

  
**Ruth O'Hare**



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**Legal Member/Chair**

28 September 2022

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**Date**