



**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**

**Chamber Ref: FTS/HPC/CV/23/1439**

**Property : 7 Malloch Crescent, Johnstone PA5 9HH (“Property”)**

**Parties:**

**Hub (Scotland) Ltd, Bridgend Compound, Bridge Street, Linwood PA3 3DR (“Applicant”)**

**Penny Lane Homes, 10-12 High Street, Renfrew PA4 8QR (“Applicant’s Representative”)**

**Paula Green and Gerald Green, 7 Malloch Crescent, Johnstone PA5 9HH (“Respondent”)**

**Tribunal Members:**

**Joan Devine (Legal Member)**

**Gerrard Darroch (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that that an order for payment of £610.22.**

**Background**

The Applicant sought an order for payment of £1253.26. The Applicant had lodged Form F. The documents produced were: a Private Residential Tenancy Agreement dated 4 February 2021 and a statement of rent arrears as at 4 May 2023. The Tribunal had sight of a sheriff officer's execution of service certifying service of the Application on the Respondent on 27 July 2023. On 21 August 2023 the Applicant's Representative lodged a rent statement dated 21 August 2023 which showed that the rent arrears were £610.22 as at 18 August 2022.

**Case Management Discussion (“CMD”)**

A CMD took place before the Tribunal on 24 August 2023 by teleconference. Ian Troy of the Applicant's Representative was in attendance. There was no appearance by the Respondent. The Tribunal noted that the rent had been increased to £669 and that

the current arrears were £610.22. Mr Troy said that all payments received were from Renfrewshire Council. He said that the Respondent did not make top up payments. He said that housing benefit is paid in arrears while rent is due in advance. The Tribunal noted that the housing benefit now being paid is £609.24 per month.

### **Findings in Fact**

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a Tenancy Agreement dated 4 February 2021 ("Tenancy Agreement").
2. In terms of the Tenancy Agreement the rent was £650 per calendar month.
3. The Respondent has failed to pay the rent in full for the period 4 November 2022 to 4 August 2023.
4. The sum outstanding is £610.22.

### **Reasons for the Decision**

The Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £650 per month. The Respondent had failed to pay the rent in full for the period 4 November 2022 to 4 August 2023.

### **Decision**

The Tribunal grants an order for payment of £610.22.

### **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.**

**Joan Devine**

**Joan Devine  
Legal Member**

**Date : 24 August 2023**