



**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/20/2157**

**Re: Property at 23 Main Street, Bonnybridge, FK4 1AF (“the Property”)**

**Parties:**

**Mr Francis Reilly, Mrs Lesley Grierson-Reilly, 16 Rowantree Grove, Alexandria,  
West Dunbartonshire, G83 0SH (“the Applicants”)**

**Mr Martin Robert Bell, 218 Kilsyth Road, Banknock, Bonnybridge, FK4 1UF  
 (“the Respondent”)**

**Tribunal Members:**

**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 the sum of  
£1,334.97**

**Background**

- [1] The Applicants submitted an application seeking an order for payment in the sum of £1,334.97 That sum related to arrears of rent incurred by the Respondent in respect of his occupation at the property. The Tribunal issued a letter to the parties dated 12 February 2021 advising 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 participate in the case management discussion and were informed that the Tribunal could make a decision on the application if the Tribunal has sufficient information and considers the procedure to have been fair.

**The Case Management Discussion**

- [2] The Applicants were represented by Miss Swira. The case management discussion took place in the absence of the Respondent. The Applicants' representative advised that there has been no direct contact between the parties to discuss arrears of rent. Since the application was submitted, the Applicants have traced the Respondent to a new address. The Applicants' representative moved to amend the Respondent's designation to reflect the address where intimation of the papers was effected. The Tribunal granted that motion. The Applicants' representative moved for an order for payment in the sum of £1,334.97 and relied upon the rent statement lodged with the application, which sets out how that sum has been calculated.

### **Findings in Fact**

[3]

1. The parties entered into a Tenancy Agreement dated 14 September 2018.
2. The rent payable was £375 per month, payable in advance.
3. The Respondent incurred rent arrears amounting to £1,334.97 by the time he vacated the property.
4. The Applicants are entitled to the Order sought for payment in the sum of £1,334.97.

### **Reason for Decision**

- [4] The Applicants produced documentation which shows that the Respondent has incurred rent arrears to the extent of £1,334.97. The Respondent did not make any written representations to the Tribunal; he also had an opportunity to participate in the case management discussion but failed to do so. The Tribunal proceeded on the basis of the documents lodged and the submissions made at the case management discussion. 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.**

Nicola Irvine

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Legal Member/Chair

18 March 2021  
Date