



**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/19/2882**

**Re: Property at 9 Seafield Close, Dundee, DD1 4DZ (“the Property”)**

**Parties:**

**Dr Diana Johnston, Taigh a Luana, Lochavich, Taynult, PA35 1HJ (“the Applicant”)**

**Mr Chris Lawson, Mrs Amanda Jane Lawson, 1 Glamis Gardens, Dundee, DD2 1XQ; 5 Ashbank Road, Dundee, DD2 1XQ (“the Respondents”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that:**

**This matter called for a Case Management Discussion at 10 am on 29 December 2019 at Caledonian House, Greenmarket, Dundee, DD1 4QX. The Applicant was personally present. The Respondents were not present. The Respondents had the Tribunal papers and the details of today’s Case Management Discussion intimated on them by Sheriff Officers on 22 November 2019. They had therefore had fair notice of today’s hearing. The Tribunal therefore proceeded in their absence.**

**The Applicant sought a Payment Order for the sum of £1,906.30 for rent arrears in respect of a Short Assured Tenancy between the parties dated 25 October 2017. The Applicant was the landlord and Chris Lawson was the tenant. Amanda Lawson had signed a guarantee agreement on 25 October 2017 in which she agreed “to cover any loss or expense incurred by the Landlord as a result of the failure of the Tenant to pay the rent or fulfil his obligations in accordance with the terms of the said Tenancy Agreement.”**

Chris Lowson had written a letter to the Tribunal received on 9 December 2019 in which he accepted liability for the rent arrears claimed in the Application.

The Tribunal therefore considered that as there was no opposition to the Application in respect of the alleged rent arrears, the Tribunal would make a Payment Order as per the amount of rent arrears referred to in the Application.

The Applicant had also applied for a further award of £62.42 as “*payment for Notice To Quit*”. After some discussion regarding the contractual basis for this head of claim, the Applicant agreed to withdraw her claim for this sum.

On the basis that both Respondents were jointly and severally liable for the rent arrears claimed in the Application, the Tribunal made a Payment Order against the Respondents in the amount of £1,906.30.

No reference to interest was made in the Application and the Tribunal determined that interest should run on the sum awarded in the Payment Order at the rate of eight per cent per year from the date of this order until 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.

Andrew McLaughlin

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Legal Member/Chair

\_\_\_\_\_  
Date

19/12/19

\*Insert or Delete as required