



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 71(1) of the Private Housing
(Tenancies) (Scotland) Act 2016**

Chamber Ref: FTS/HPC/CV/26/1811

Re: Property at 6 Watt Gardens, Edinburgh, EH16 4XY (“the Property”)

Parties:

**Edinburgh Living MMR LLP, 4 Waverly Court, 4 East Market Street, Edinburgh,
EH8 8BG (“the Applicant”)**

Mr Greg Johnstone, 18 Allan Terrace, Dalkeith, EH22 1EW (“the Respondent”)

Tribunal Members:

Hilary Macandrew (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that a Payment Order be granted against the Respondent for payment to the Applicant of the sum of £21,092.58 (Twenty One Thousand and Ninety Two Pounds and Fifty Eight Pence

1) Background

By Application dated 23rd April 2026 the Applicant sought an order Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016

- 1.1 The application to the Tribunal was made by Form F and was accepted for determination by the Tribunal on 18th May 2026.
- 1.2 Intimation of the application and of the Initial Case Management Discussion (CMD) was effected upon the Respondent by sheriff officers on 12th August 2026.

1.3 The Applicant lodged the following documents in advance of the case management discussion (CMD):-

- Private Residential Tenancy agreement
- Rent Statement from original letting agent
- Rent Statement from most recent letting agent

1.4 A Case Management Discussion was set to take place on 7th October 2026. Intimation was given to the Respondent by Sheriff Officers on 12th August 2026.

2) The Case Management Discussion ('CMD')

2.1 The CMD took place by tele conference on 7th October 2026. The start was delayed by five minutes to allow the Respondent time to take part. The Applicant did not take part. The Applicant was represented by Miss Morrison of Umega lettings. The Respondent was neither represented nor took part. He had lodged no documentation in advance with the Tribunal.

2.2 Miss Morrison sought a Payment Order in the sum of £21,092.58 being the amount of arrears of rent at the time the Respondent vacated the property on 1st May 2025.

2.3 Miss Morrison made reference to the rent statements lodged with the application. The Tenancy commenced on 15th February 2021. Rent was not paid in full from 4th May 2021 and arrears accrued continually from that date until the tenancy ended on 1st May 2025. No rent has been paid at all since a payment of £200 on 4th April 2024. The Respondent did not address the arrears during his occupancy and he did not engage with the Applicant.

2.4 Rule 17 of the First-Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 provides that the Tribunal may do anything at a CMB which it may do at a hearing, including making a decision. The Tribunal was satisfied that it had before it sufficient information and documentation to decide the application without a hearing.

3) Findings in Fact and Law

3.1 The Private Rental Tenancy Agreement commenced on 15th February 2021.

3.2 The rent was initially £730 per month which increased during the tenancy to £785 per month on 1st August 2024.

3.3 The Respondent has been continually in arrears since 4th May 2021. No rent has been paid at all since 4th April 2024.

3.4 The Respondent is in arrears of £21,092.58.

4) Reasons and Decision

4.1 Rent lawfully due to the Applicant amounting to £21,092.58 has not been paid by the Respondent.

4.2 The Applicant is entitled to a Payment Order of £21,092.58

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.

**H Macandrew
Legal Member/Chair**

**7th October 2026
Date**