



**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/19/1397

Re: Property at 166 (PF3) Albert Street, Edinburgh, EH7 5NA (“the Property”)

Parties:

Mr Andrew Hampton, 7 North Loanhead, Limekilns, Fife, KY11 3LA (“the Applicant”)

Mr Grant Luney, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Eleanor Mannion (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an Order for £3,844.68 be granted in respect of rent arrears at the above property.

The Case Management Discussion took place on 10 September 2019. The Applicant was represented by Mr Kjartan Behm of Braemore Sales and Lettings. The Respondent was not present. This was the second Case Management Discussion on this matter. At the previous Case Management Discussion, the Tribunal directed that the Applicant could apply for Service by Advertisement and this was duly done, with service being effected by advertisement on the Tribunal website.

On the 10 September 2019, Mr Behm moved his application for outstanding rent arrears. He provided an up to date rent account. The Application, made in May 2019, outlined rent in the sum of £4,078 being due and owing. Mr Behm updated this amount stating when the tenancy terminated on 15 July 2019, the final balance on the rent account was £5,029.48. He advised that late penalty fees were included in that amount and so it should be reduced by £792. Further, a deposit of £850 was secured with My Deposits Scotland. He advised that it was necessary to deduct cleaning and repair fees from this but that they expect to receive £392.80 from the

deposit scheme in the coming weeks. Therefore he was seeking an order in respect of £3,844.68.

Having considered all the information to hand, the Tribunal granted an order in this amount.

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.



Legal Member

10/9/19

Date