



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Chamber Ref: FTS/HPC/CV/19/2763

Re: Property at Flat 1F2, 20 Broughton Place, Edinburgh EH7 4EB (“the Property”)

Parties:

Ann Thomson, residing at 5 Glenogle Place, Edinburgh, EH3 5HP (“the Applicant”)

Ms Laura Munro and Ms Ruth Thompson residing at 20 (1F2) Broughton Road, Edinburgh (The Respondents”)

Tribunal Members:

Paul Doyle (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 payment should be made.

Background

The Applicant sought an order for payment of rental arrears totalling £1,6000. The Applicant had lodged with the Tribunal Form F. The documents produced were a Tenancy Agreement and form AT5 both dated 14 November 2017. The applicant lodged a schedule of unpaid rental.

Case Management Discussion

A case management discussion took place before the Tribunal at 10.00am on 5 November 2019 at the George House, Edinburgh. The Applicant was represented by Ms D Greeney of DJ Alexander Lettings Ltd. There was no appearance by or on behalf of the Respondents.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondents entered into a Short-Assured Tenancy Agreement for the Property dated 14 November 2017.
2. The period of the Lease was from 14 November 2017 to 14 May 2018 and thereafter on a month to month basis.
3. The initial rent in terms of the Tenancy Agreement was £735 per month.
4. The Respondents underpaid the rental between 01/06/2019 and 01/08/2019 so that arrears totalling £1,600 had accrued by the date of application. Prior to this case management discussion, the respondents paid a further £500 reducing the arrears to £1,100. At today's date there are still arrears of £1,100. The tenants vacated the property on 14 October 2019.
5. Notice of the date of this hearing was served on the Respondent by sheriff officers on 4 October 2019.

Reasons for the Decision

The Tribunal determined to make an Order for payment of £1,100. Rent was lawfully due in terms of clause 3 of the Tenancy Agreement at the rate of £735 per month. Between 01/06/2019 and 01/08/2019 the respondents only made partial payments of the rent due, so that they fell into arrears of rent totalling £1,100

Decision

For the foregoing reasons, the Tribunal determined to make an 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.

Paul Doyle

Legal Member

Date 5 November 2019