

Housing and Property Chamber
First-tier Tribunal for Scotland



Statement of Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014 (“the Act”)

Chamber Ref: FTS/HPC/CV/18/0114

Re: Property at 4/1 Gumley Place, Edinburgh, EH6 7LS (“the Property”)

Parties:

Northern Housing Company Ltd, 1 Explorer Road, Dundee, DD2 1EG (“the Applicant”)

Miss Julie Miller, 4/1 Gumley Place, Edinburgh, EH6 7LS (“the Respondent”)

Tribunal Members:

Alastair Houston (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment of ONE THOUSAND NINE HUNDRED AND THIRTEEN POUNDS AND NINETY TWO PENCE (£1913.92) STERLING be made in favour of the Applicant.

Background

1. This application concerned an order for payment in respect of alleged unpaid rent by the Respondent under the tenancy agreement between the parties. The Applicant sought payment of £2563.92.

Case Management Discussion

2. The Case Management Discussion took place on 8 May 2018 at George Street, Edinburgh. The Applicant was represented by Mr Neil Matheson, TC Young Solicitors. The Respondent was absent. Notification of the Case Management Discussion had been given to the parties.

Reasons for Decision

3. Mr Matheson confirmed that a sum of rent remained unpaid by the Respondent. He tendered an up to date statement of the rent account, which

disclosed an outstanding sum of £1913.92 as of the date of the Case Management Discussion. He requested an order be granted for that sum. Although different from the sum sought in the application and the Respondent was absent, I allowed the rent statement to be lodged given the lack of prejudice to the Respondent in an order being made for payment of a lower sum than that originally sought.

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.

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

A Houston

Legal Member/Chair

8 MAY 2018

Date