



**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/18/2345**

**Re: Property at 22/4 Hammermans Entry, Edinburgh, EH8 8PA (“the Property”)**

**Parties:**

**Places for People Scotland Limited, 1 Hay Avenue, Edinburgh, EH16 4RW (“the Applicants”)**

**Mrs Amanda Doyle, Mrs Jennifer Doyle, 22/4 Hammermans Entry, Edinburgh, EH8 8PA (“the Respondents”)**

**Tribunal Members:**

**Lesley Ward (Legal Member)**

**Decision in absence of the Respondents**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondents shall make payment to the Applicants the sum of five thousand and eighty eight pounds and 27 pence (£5988.27).**

This is a case management discussion ‘CMD’ regarding an application in terms of rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, ‘the tribunal rules’. The application was made on behalf of the Applicants Places for People Limited, the landlords for the property at 22/4 Hammerman’s Entry Edinburgh EH8 8PA, by Mr Alastair McKendrick of TC Young Solicitors on the 3 September 2018. The tribunal had before it the following copy documents:

1. Application dated 29 August 2018 and received by the Tribunal on 3 September 2018.
2. Tenancy agreement (undated) for the period 10 February 2014 until 11 August 2014.  
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3. Letter from Applicant to Respondents dated 17 February 2014 regarding increase in rent.
4. Letter from Applicant to Respondents dated 16 February 2015 regarding increase in rent.
5. Letter from Applicant to Respondents dated 12 February 2016 regarding increase in rent.
6. Letter from Applicant to Respondents dated 10 February 2017 regarding increase in rent.
7. Letter from Applicant to Respondents dated 14 February 2018 regarding increase in rent.
8. Rent statements for period 1 February 2015 until 17 April 2018.
9. Rent statement from period 1 April 2018 until 31 August 2018.

### **Case management discussion**

This is a case management discussion in connection with an application in terms of rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, 'the rules' and s16 of the Housing (Scotland) Act 2014 regarding rent arrears of the property at 22/4 Hammermans Entry, Edinburgh EH8 8PA. The CMD was held jointly with the application for possession of the property with the same parties and in terms of rule 66 of the rules. The Applicants were represented by Ms Kirsty Morrison of TC Young solicitors. There was no appearance by the Respondents and they were not represented. The tribunal had sight of the execution of service of the CMD papers and the application by sheriff officer on 24 October 2018. The tribunal proceeded with the CMD in the absence of the respondents.

### **Findings in fact**

1. The Applicants entered into a tenancy agreement with the Respondents for the period 10 February 2014 to 11 August 2018 and month to month thereafter.
  2. The monthly rent from 10 February 2014 until 28 February 2014 was £366.43.
  3. The monthly rent from 1 April 2014 was £540.
  4. The monthly rent from 1 April 2015 was £551.88.
  5. The monthly rent from 1 April 2016 was £571.20.
- Lesley Ward

6. The monthly rent from 1 April 2017 was £588.34.
7. The monthly rent from 1 April 2018 was £608.93.
8. Rent arrears have accrued since November 2017.
9. The amount of rent outstanding as at 31 August 2018 was £5988.27.

### **Reasons**

The tribunal was satisfied that there was enough information before it to make a decision and that the procedure had been fair. Rent arrears have accrued for the property since November 2017 and the outstanding balance as at 31 August 2018 is narrated the rent account provided.

### **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.**

Lesley Ward

14 November 2018

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Lesley A Ward Legal Member

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Date