



**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/23/1812

**Re: Property at 23 D Culduthel Mains Gardens, Inverness, IV2 6RD (“the
Property”)**

Parties:

**Ffordes (Photographic) Limited, The Kirk, Wester Balblair, By Beauly, IV4 7BQ
 (“the Applicant”)**

**Mrs Izabela Monika Szczepanski, Mr Rafal Szczepanski, 23 D Culduthel Mains
Gardens, Inverness, IV2 6RD (“the Respondents”)**

Tribunal Members:

Andrew Cowan (Legal Member) and Elaine Munroe (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the sum of £4920.00 was lawfully due by the
Respondent and granted an order for payment of that sum by the Respondents
to the Applicant.**

1. By an application dated 2nd June 2023 (“the Application”), the Applicants sought an order for payment of £4920.00 from the Respondent in respect of rent arrears.
2. The Application called for a case management discussion (“CMD”) by conference call at 10 AM on 23rd October 2023. The Applicant was represented on the conference call by Mrs Alice Cochrane of Tughan and Cochrane, the Landlord’s letting agent. Mrs. Izabela Szczepanski joined the conference call and made representations on behalf of herself and her husband, as the Tenants of the Property.

3. The Applicant had provided, with the Application, copies of the Short Assured Tenancy Agreement between the parties, together with a full rent statement showing all rent due by the Respondents during the period of the Tenancy, together with the payments made by the Respondents over that same period. The rent statement showed the rent arrears had been £4920 as at the date the Application had been made. It further showed that the rent arrears had further increased to £8495 by the date of the CMD.
4. Mrs Szczepansk confirmed to the the Tribunal that the Respondents accepted the sums shown as due on the rent statement produced to the Tribunal were correct. She confirmed that the Respondents accepted the that they were due £4920 by way of rent arrears to the Applicant as at June 2023 and she further accepted that rent arrears due by the Respondents had now risen to the sum of £8495 as at the date of the CMD.
5. No application had been made by the Applicant to increase the sum claimed by the Applicant following submission of the Application.

Findings in fact

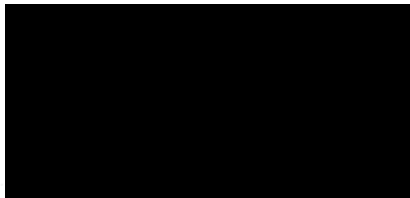
6. The Applicant let the Property to the Respondents in terms of a written tenancy agreement which commenced on or around 15th June 2015. The monthly rent due in terms of the tenancy agreement between the parties has increased over the period of the Tenancy. The current monthly rent due in terms of the tenancy agreement between the parties is £815 per month.
7. The Respondents have accrued arrears of rent under the terms of her tenancy agreement in relation to the property in a sum in excess of £4920 as at 23rd October 2023.
8. The sum of £4920 remains due and owing by the Respondents to the Applicant in respect of arrears of rent incurred by the Respondent in respect of their occupancy of the property.

Decision

9. The Tribunal accordingly granted an order for payment by the Respondent to the Applicant in the sum of £4920.

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.



23/10/2023

Legal Member/Chair

Date