



**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/23/3472

Re: Property at 4 (3F1) Wheatfield Place, Edinburgh, EH11 2PD (“the Property”)

Parties:

**Mr William Macleod, 36 Lord Mayors Walk, Unknown, YO31 7HA (“the
Applicant”)**

**Mr Simon White, 4 (3F1) Wheatfield Place, Edinburgh, EH11 2PD (“the
Respondent”)**

Tribunal Members:

Mark Thorley (Legal Member) and Elizabeth Williams (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order for eviction be granted.**

Background

In terms of that application payment was sought in the sum of Eight hundred and Fifty pounds (£850). Accompanying that application was a copy of the Rent Statement dated 7 September 2023, Short Assured Tenancy together also with Form AT5. It was noted that this was a Tenancy Agreement dating back to 2005. Rent was currently paid at the rate of £440 per month.

The application was received by the tribunal on 3 October 2023. Certain further information was requested and on 1 December 2023 the application was accepted.

Intimation of the application was then made to the respondent on 11 December 2023.

Case Management Discussion

Ms Woolley attended on behalf of the applicant. The respondent Mr White appeared personally. It was noted in the paperwork that the respondent's name is Mr Simon White (not Mr Simone White).

The applicant's agent confirmed that the amount of arrears now accruing at 1 January 2024 was the sum of £8,860. She sought to amend the sum sought. The respondent had no objection to that. The respondent accepted the sum was due.

The respondent had indicated that he had lost his job in 2021. Although he was now in receipt of universal credit he had not received any housing part of that. He acknowledged that he had been unable to pay the arrears.

Findings in Fact

1. The parties entered into a Short Assured Tenancy Agreement in respect of the property 4 (3F1) Wheatfield Place, Edinburgh, EH11 2PD. Latterly the sum of £440 per calendar month was due by way of rent.
2. As at 1 January 2024 the sum of £8,860 was due in rent.

Reasons for Decision

The respondent candidly accepted that he was due the outstanding rent. The paperwork was in order. An up to date Rent Statement had been produced.

Decision

To make an order for payment by the respondent to the applicant in the sum of Eight thousand Eight hundred and Sixty pounds (£8,860)

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.



01 February 2024

Legal Member/Chair

Date