



**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/24/4290

Re: Property at 75F1 Crewe Road North, Edinburgh, EH5 2NG (“the Property”)

Parties:

**Mrs Linghua Huang, residing at 26 Masefield Gardens, Crowthorne, Berkshire,
RG45 7QS (“the Applicant”)**

**Mrs Tammy Stacey Nisbet, residing at 75F1 Crewe Road North, Edinburgh,
EH5 2NG (“the Respondent”)**

Tribunal Members:

Andrew Cowan (Legal Member) and Angus Lamont (Ordinary Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the sum of £7330 was lawfully due by the
Respondent and granted an order for payment of that sum by the Respondent
to the Applicant.**

Background

1. By an application received by the Tribunal on 12 September 2024 (“the Application”), the Applicant sought an order for payment of £7330.00 from the Respondent in respect of rent arrears.
2. A copy of the Application, along with a letter from the Tribunal giving details of a proposed Case Management Discussion, was intimated by Sheriff Officer upon the Respondent on 4 October 2024.

3. A Case Management Discussion (“CMD”) took place by teleconference on 11 November 2024. The Applicant was represented at the CMD by Mrs Andrena Rowley of LetsLet Property Ltd. The Applicant also joined the conference call.
4. The Respondent did not join the CMD call. The Tribunal were satisfied that the Application, and details of the CMD, had been intimated upon the Respondent by Sheriff Officers on 4 October 2024. The Respondent has not made any written representations to the Tribunal in advance of the CMD. The Tribunal was satisfied that the Respondent had been given reasonable notice of the date, time and place of the CMD and that the requirements of rule 24(1) of the First-Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Procedure Rules”) had been duly complied with. In the circumstances the Tribunal proceeded with the application in accordance with rule 29 of those Procedure Rules.
5. At the CMD the Tribunal was able to consider:
 - a. The terms of the tenancy agreement between the parties. The tenancy agreement was a Private Residential Tenancy Agreement in relation to the Property. The tenancy between the parties had commenced 10 May 2018. The monthly rent due in terms of the tenancy agreement between the parties was £620.00.
 - b. A Statement of rent and arrears had been lodged with the Application showing total rent arrears due by the Respondent as of 10 August 2024 in the sum of £7330.00.

Further Information:

6. The Applicants’ representative explained to the Tribunal the Respondent had accrued rent arrears in the sum of £7330 as shown in the rent statement which the Respondent had lodged with the Tribunal. The Rent statement had been prepared for the period to 10 August 2024. The Applicant’s representative confirmed that no payment had been made by the Respondent towards the rent arrears after the date of the Application. She further explained that further rent arrears had been accrued by the Respondent since the date of raising the application. The Applicant’s representative confirmed that the sum of £7330 continued to be due by the Respondent to the Applicant in respect of arrears of rent accrued by the Respondent up to 10 August 2024.
7. The Applicants’ representative asked the Tribunal to grant an order for payment against the Respondent in favour of the Applicant for the sum of £7330, being the amount sought in terms of the application.

Findings in fact, and in fact and law; reasons for decision

8. The Applicants let the Property to the Respondent in terms of a written tenancy agreement which commenced on 10 May 2018. The current monthly rent due in terms of the tenancy agreement between the parties is £620.00. The Respondent remains in occupation of the Property
9. As at 10 August 2024 the Respondent had accrued arrears of rent under the terms of the tenancy agreement in the sum of £7330.
10. As at the date of the CMD the sum of £7330 remains due and owing by the Respondent to the Applicants in respect of arrears of rent incurred by the Respondent in respect of her occupancy of the property for the period from the commencement of the tenancy to 10 August 2024.

Decision

Under rule 17(4) of the Procedure Rules the First-Tier Tribunal may do anything at a case management discussion which it may do at a hearing, including making a decision.

The Tribunal accordingly granted an order for payment by the Respondent to the Applicant in the sum of £7330.00.

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.

A Cowan

11 November 2024

Legal Member/Chair

Date