



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 (Act)**

**Chamber Ref: FTS/HPC/CV/24/4884**

**Re: Property at Flat 6, 13 Constitution Place, Leith, Edinburgh, EH6 7DJ (“the Property”)**

**Parties:**

**Mr Colin Ramsay, 10 Tayview Terrace, Newport On Tay, DD6 8AT (“the Applicant”)**

**Mr Kevin MacLeod, Flat 6, 13 Constitution Place, Leith, Edinburgh, EH6 7DJ (“the Respondent”)**

**Tribunal Members:**

**Alan Strain (Legal Member) and Mary Lyden (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment be granted in the sum of £7,195.87.**

**Background**

This is an application under Rule 111 of ***The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (Rules)*** and section 71(1) of the Act in respect of a claim for payment of alleged rent arrears.

The Tribunal had regard to the following documents lodged in advance of the Hearing:

1. Application received 22 October 2024;
2. Private Residential Tenancy Agreement (**PRTA**) commencing 1 March 2024;
3. Rent statements as at 2 October 2024 and 7 April 2025;
4. PARS correspondence;
5. Application to amend the sum sued for dated 7 April 2025.

## **Case Management Discussion (CMD)**

The case called for a CMD by conference call on 1 May 2025. The Applicant did not participate but was represented by Ms Kirstie Donnelly, Solicitor. The Respondent participated and was represented by Ms Sophie Bennet, Housing and Benefit Adviser (CHAI).

The Applicants' Representative informed the Tribunal that the amount of arrears had increased. An application to amend to increase the sum sued for had been made on 7 April 2025. The Applicant sought an order for £7,195.87 being the amended amount.

The Respondent accepted that there were £7,195.87 arrears at the moment.

The Applicant's Representative submitted that an order should be granted in the amended amount of £7,195.87 and that interest should be awarded at 8%.

The respondent left the matter of interest in the hands of the Tribunal.

The Tribunal then considered the documentary and oral evidence it had received from the Parties and in so far as material made the following findings in fact:

1. The Parties let the subjects under a PRTA commencing 1 March 2024;
2. The monthly rent was £1,400;
3. As at the date of the CMD the Respondent agreed he was in arrears of rent in the amount of £7,195.87.

## **Decision and Reasons**

The Tribunal was satisfied that in the circumstances the Applicant was due the outstanding rent from the Respondent and granted the order sought in the amount of £7,195.87.

The Tribunal considered the application of interest and determined that interest at the rate of 4% should be applied

## **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.**



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**Legal Member/Chair**

**1 May 2025**

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**Date**