



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 51 of the Private Housing
(Tenancies) (Scotland) Act 2016**

Chamber Ref: FTS/HPC/CV/25/0375

**Re: Property at Flat C, 16 Niddrie Mill Crescent, Edinburgh, EH15 3ET (“the
Property”)**

Parties:

**Colaks Properties Ltd, Flat 6, 1 Murchie Crescent, Edinburgh, EH16 4JX (“the
Applicant”)**

**Mr Damian Pawal, Ms Paulina Pawelczyk, Flat C, 16 Niddrie Mill Crescent,
Edinburgh, EH15 3ET (“the Respondents”)**

Tribunal Members:

Andrew Cowan (Legal Member) and David Fotheringham (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the sum of £8300 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 29th January 2025 (“the Application”), the Applicant sought an order for payment of £8300.00 from the Respondent, in respect of rent arrears, together with interest thereon at the rate of 4%.
2. The Application called for a Case Management Discussion (“CMD”) of the First-tier Tribunal for Scotland, Housing and Property Chamber, conducted by remote telephone conference call, on 9th June 2025. The Applicant was represented on that call by their solicitor, Mr David Gray. The Respondents also joined the conference call.

3. The Applicant had provided, with the Application, copies of the Private Residential Tenancy Agreement between the parties, together with a rent statement for the period to 1st December 2024. The rent statement showed the rent arrears had accrued by the Respondents, as of 1st December 2024, in the sum of £8300. The Applicant's solicitor further explained that the Respondents rent arrears had continued to accrue from the date of the Application. The rent arrears due by the Respondents by the date of the CMD were £15500.
4. At the CMD the Respondents accepted that they were due to pay rent arrears to the Applicant in the sum of £15500.
5. No application has been made by the Applicant to increase the sum claimed by the Applicant following submission of the Application. The amount that the Tribunal can order for payment is therefore restricted to the amount claimed in the Application, being £8300.

Findings in fact

6. The Applicant let the Property to the Respondents in terms of a written tenancy agreement which commenced on or around 7th February 2023. The monthly rent due in terms of the tenancy agreement between the parties is £1200 per month.
7. The Respondents had accrued arrears of rent due to the Applicant in the sum of £8300 as at the date of the Application.

Decision

8. The Tribunal accordingly granted an order for payment by the Respondent to the Applicant in the total sum of £8300.00, together with interest thereon at the rate of 4%.

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.

Andrew Cowan

9th June 2025

Legal Member/Chair

Date