



**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**

Chamber Ref: FTS/HPC/CV/24/4608

**Re: Property at 34GF Whitehill Grove, Dalkeith, Midlothian, EH22 2LJ (“the
Property”)**

Parties:

Mrs Margaret Wright, PO Box 64124, Paphos, 8027, Cyprus (“the Applicant”)

**Miss Alisha Wileman, Mr Sam Tytler, 3/4 Broomhouse Gardens, Edinburgh,
EH11 3SL; UNKNOWN, UNKNOWN (“the Respondents”)**

Tribunal Members:

Graham Harding (Legal Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the Applicant was entitled to an order for payment by
the Respondents to the Applicant in the sum of £1261.97.**

Background

1. By application dated 3 October 2024 the Applicant’s representatives Rent Locally, Edinburgh applied to the Tribunal for an order for payment in respect of alleged rent arrears arising from the Respondents’ tenancy of the property. The Applicant’s representatives submitted a copy of a tenancy agreement together with a rent statement in support of the application.
2. Following further correspondence between the Applicants and the Tribunal administration the sum claimed was increased to £2278.00.

3. By Notice of Acceptance dated 6 December 2024 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion ("CMD") was assigned.
4. Intimation of the CMD was served on the First Respondent by Sheriff Officers on 4 April 2025. Sheriff Officers were unable to trace the Second Respondent and intimation of the proceedings were served on him by way of Service by Advertisement on the Housing and Property website conform to Certificate of Service dated 12 June 2025.

The Case Management Discussion

5. A CMD was held by teleconference on 12 June 2025. The Applicant did not attend but was represented by Ms Linda Harcun from the Applicant's representatives. Both Respondents attended in person.
6. After explaining to the parties the purpose of a CMD the Tribunal ascertained from Ms Harcun that after payment to the Applicant of the Respondents' deposit following the end of the tenancy on 3 December 2024 the amount of rent due by the Respondents to the Applicant was £1349.60.
7. For the Respondents, Mr Tytler said that Ms Wileman had moved out of the property some months prior to him moving out but that he had vacated the property on 29 November 2024 and had sent a text message to Ms Harcun that evening to say that he had left the property and had left the keys in the property. Ms Harcun said she had inspected the property and collected the keys on 3 December 2024 and the rent said to be due had been calculated to that date.
8. After some discussion with regards to the total amount of rent that would have been outstanding on 29 November 2024 the parties agreed that the Respondents owed the Applicant rent of £1261.97 and the Respondents had no objection to an order for that amount being granted and Ms Harcun also agreed to an order being granted in that amount.

Findings in Fact

9. The Respondents owed rent of £1261.97 following the end of their tenancy on 29 November 2024 and this amount was still outstanding at the date of the CMD.

Reasons for Decision

10. The Tribunal was satisfied from the written representations and documents submitted by the Applicant's representatives together with the oral

submissions of both parties that the Applicant was entitled to an order for payment by the Respondents in the sum of £1261.97.

Decision

11. The Tribunal finds the Applicant entitled to an order for payment by the Respondents to the Applicant in the sum of £1261.97.

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.

Graham Harding

Graham Harding
Legal Member/Chair

12 June 2025
Date