



**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/24/4548

Re: Property at 7/1 Arneil Place, Edinburgh, EH5 2GP (“the Property”)

Parties:

**Alan Simpson and Mrs Denise Simpson, both 20 Cumberland Close, Clifton,
Penrith, CA10 2EN (“the Applicants”) and**

**Ms Catherine Hume, 20/7 Arneil Drive, Edinburgh, EH5 2GN (“the
Respondent”)**

**Tribunal Member:
George Clark (Legal Member)**

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the application should be decided without a Hearing
and made an Order for Payment by the Respondent to the Applicants of the sum
of £5,517.71.**

Background

1. By application, dated 1 October 2024, Rebel Tree Limited and Mr Alan Simpson sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent to the Applicants. The sum sought was £3,000.
2. The application was accompanied by copies of a Short Assured Tenancy Agreement between the Rebel Tree Limited and the Respondent, commencing on 19 June 2015 at a rent of £770 per month, and a Rent Statement showing arrears of £3,000 at the date of the application. No rent had been paid when it became due on 13 July, 13 August or 13 September 2024. The rent had been increased to £1,000 per month from 13 July 2024.
3. On 19 December 2024, the Applicants sought leave to amend the application to increase the sum sought to £5,723.29, as the Respondent was vacating

the Property on 3 January 2025 and had not paid rent due on 13 October and 13 November 2024. To this fell to be added the rent that would be due for the period from 13 December 2024 to 3 January 2025.

4. On 2 May 2025, the Applicants sought leave to further amend the sum sought to £5,517.71, to reflect the fact that they had received the deposit of £875 and had paid £177.90 for locks to be changed and £491.32 for deep cleaning, including carpets and windows and rubbish removal. They also asked that Mrs Denise Simpson be added as an Applicant.
5. On 14 May 2025, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondent was invited to make written representations by 4 June 2025. The Respondent did not make any written representations to the Tribunal.

Case Management Discussion

6. A Case Management Discussion was held by means of a telephone conference call on the morning of 29 May 2025. The Applicants were represented by Miss Fiona Blair, Lettings Manager, of Boyd Lettings, Edinburgh. The Respondent was not present or represented. Miss Blair confirmed that no money had been received from the Respondent since the date of the application.
7. The Tribunal advised the Applicants' representative that it would require to see evidence that the Applicants, Mr Alan Simpson and Mrs Denise Simpson owned the Property, as the Applicant company Rebel Tree Limited had been dissolved on 1 April 2025. Miss Blair said that Mr and Mrs Simpson had recently sold the Property and offered to provide such information as the Tribunal required to establish their ownership prior to the present sale. A short adjournment was agreed. The Applicants' representatives then provided a copy of a Land Certificate confirming that title to the Property was registered in the names of Alan Geoffrey Simpson and Denise Simpson on 21 January 2014, pre-dating the commencement of the tenancy.

Reasons for Decision

8. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it all the information and documentation it required to enable it to decide the application without a Hearing.
9. The Tribunal removed Rebel Tree Limited as Applicants, the company having been dissolved on 1 April 2025, and added Mrs Denise Simpson as a joint Applicant.
10. The Tribunal was satisfied that the title to the Property stood in the names of the Applicants Mr and Mrs Simpson at the date of commencement of the

tenancy and that Rebel Tree Limited was their trading name in respect of the tenancy. The Respondent had not made any written representations to the Tribunal regarding the sums other than rent that were being sought and had elected not to be present or represented at the Case Management Discussion. Accordingly, the Tribunal decided that the sum now sought had become lawfully due by the Respondent to them.

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.

George Clark

Legal Member/Chair

2 July 2025
Date