



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 70 of the Private Housing
(Tenancies) (Scotland) Act 2016**

Chamber Ref: FTS/HPC/CV/25/0125

**Re: Property at Flat 11, 4 Essendean Terrace, Edinburgh, EH4 7HD (“the
Property”)**

Parties:

**Mr Rhod Grubb, Mrs Karen Grubb, Hunters Lodge, Kinninmonth Farm,
Kinglassie Lochgelly, KY4 0UG; 120 Glasgow Road, Edinburgh, EH28 8PR (“the
Applicant”)**

**Ms Sasha Muir, Mr Michael Crook, Flat 11, 4 Essendean Terrace, Edinburgh,
EH4 7HD (“the Respondent”)**

Tribunal Members:

Melanie Barbour (Legal Member) and Ann Moore (Ordinary Member)

Decision (in absence of the Respondent)

**determined that to grant an order in favour of the Applicant against the
Respondent for payment of Sum of NINE THOUSAND FIVE HUNDRED AND FIFTY
POUNDS (£9,550.00) STERLING**

Background

1. Two applications were made under Rule 111 and 109 of the First Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 (“the 2017 Rules”) seeking an order for payment and an order for recovery of possession under a private residential tenancy by the Applicant against the Respondent for the Property.
2. The applications contained: -

- a. the tenancy agreement,
 - b. the notice to leave with evidence of service
 - c. section 11 Notice with evidence of service
 - d. rent statement
 - e. emails to the tenant about rent arrears
 - f. rent increase notice
3. The applicant's agent submitted further correspondence to the tribunal and also to the respondents on 12 June 2025. They sought to amend the sum sued to £9,550 as this was the sum due for the current rent arrears. They attached an updated rent statement.
4. A case management discussion took place on 27 June 2025. In attendance was the applicant's agent, Mr Puren from Pure Property Management. Notice of the Case Management Discussion had been made by the sheriff officers on 2 April 2025. The respondents did not appear. The tribunal was prepared to proceed in their absence, given they had notice of today's Case Management Discussion.

Discussion

5. The applicant was seeking an order for payment of the amended sum of £9,550.00. The applicant's agent advised that he had sent the updated rent statement to the respondents at the same time as he had sent it to the tribunal.
6. He moved to amend the sum sued to £9,550.00. The respondents had been made aware of this amendment. The tribunal granted this amendment.
7. The agent advised that the last payment made was on the 8th of August 2024. The agents had sent the respondents reminder notices and attended at the property to try to make contact with the respondents. They had sent information to the respondents regarding the rent arrears and also provided

them with advice on agencies to contact who may be able to help them deal with the rent arrears. There had been no response by the respondents to address the arrears.

Findings in Fact

8. The Tribunal found the following facts established: -
9. There existed a private residential tenancy.
10. The tenants were Sasha Muir and Michael Crook.
11. The landlords were Mr Grubb and Karen Grubb.
12. The property was 4/11 Essendean Terrace, Edinburgh.
13. It had commenced on 8 July 2021.
14. The tenancy stated that rent was £700 a calendar month payable in advance. There had been a rent increase in September 2024, when the rent due increased to £850 per month.
15. There was a rent statement showing how the arrears had occurred.
16. As of 27 June 2025, the arrears were £9,550.00.

Reasons for Decision

17. Section 71 of the 2016 Act provides the Tribunal with the power to deal with civil matters arising out of private residential tenancies, including liability for failure to pay contractual rent; this is such a matter arising out of that contract.
18. The applicant's agent appeared. The respondents did not appear. The applicant's agent confirmed that he sought an order for payment. He provided a copy of the tenancy agreement, rent increase paperwork and updated rent statement. He confirmed that the rent arrears remain due as at 27 June 2025 to the sum of £9,550.00.
19. The tenancy contract provided that rent of £700 per month was payable by the tenants; this had increased to £850 per month in September 2024. The tenants had failed to pay all or some of that rent. As of 27 June 2025, the

respondents owed £9,550.00 in rent. The tribunal found that the tenant was in breach of contract with the landlord and rent arrears remained due.

20. Considering the papers and the oral submission by the applicant's agent, the tribunal was prepared to grant the order for payment.

Decision

21. The Tribunal grants an order in favour of the Applicant against the Respondent for payment of the Sum of NINE THOUSAND FIVE HUNDRED AND FIFTY POUNDS (£9,550.00) STERLING.

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.

27 June 2025

Legal Member/Chair

Date