

Housing and Property Chamber
First-tier Tribunal for Scotland



**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/25/1148

Re: Property at Flat 0/3, 209 Kirkton Avenue, Glasgow, G13 3AF ("the Property")

Parties:

Edzell Property Holding Limited, 1008 Pollokshaws Road, Glasgow, G41 2HG ("the Applicant")

Ms Elizabeth Akinmuda, Flat 0/3, 209 Kirkton Avenue, Glasgow, G13 3AF ("the Respondent")

Tribunal Members:

Gillian Buchanan (Legal Member) and Ann Moore (Ordinary Member)

Decision

At the Case Management Discussion ("CMD") which took place by telephone conference on 28 August 2025, the Applicant was not present but was represented by Mr Augustine Casiday of Mitchells Robertson, Solicitors, Glasgow. The Respondent was present and was represented by Mr David Doig of Raeside Chisholm, Solicitors, Glasgow.

The CMD was also in respect of the related case bearing reference FTS/HPC/EV/25/1740.

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that -

Background

A CMD previously took place on 21 May 2025. That CMD was adjourned due to the unexplained absence of the Applicant and any representative.

Prior to the CMD on 28 August 2025 the Tribunal received the following additional written submissions from the parties as follows:-

- By email from Mr Casiday dated 21 August 2025 written submissions for the Applicant;
- By email dated 21 August 2025 from Mr Doig's colleague, Mr Nicolas Nimmo, written submissions for the Respondent;
- By email dated 26 August 2025 from Mr Casiday further written submissions for the Applicant.

The CMD

In addition to the application and written Submissions, Mr Casiday for the Applicant stated:-

- i. The arrears balance as at 26 August 2025 stood at £4,800.
- ii. No payment has been made by the Respondent since July 2024.
- iii. Mr Casiday accepted he hadn't submitted a formal application to amend the sum claimed from £2,800 being the sum stated to be due per the application. He referred to his Paper Apart submitted with the application.

For the Respondent, Mr Doig stated –

- i. It was accepted the Respondent had made no payments since July 2024.
- ii. He made reference to the Respondent's position being "strained" on this issue and to an unrelated issue between the parties which the Tribunal understands to relate to a sale of the Property involving the Respondent, the detail of which was not discussed.
- iii. He said the Respondent had adopted a tactic to "hold the Applicant's feet to the fire" to resolve the wider issues between the parties.
- iv. However, he said the Respondent can pay £2,800 today and doesn't wish an order granted against her.

After discussion it was agreed that the Tribunal would make no immediate determination of the application to allow payment of the sum claimed to be made by the Respondent immediately and Mr Casiday and Mr Doig would facilitate that arrangement.

If payment was not made the application would be granted. If payment was made, the application would be refused.

The parties were content with this approach and the Tribunal asked the parties' representatives to confirm the position following the CMD.

Post CMD Communications

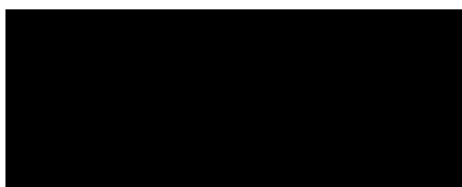
By emails dated 28 and 29 August 2025 Mr Casiday and Mr Doig respectively confirmed payment of £2800 to have been made by the Respondent.

Decision

The Tribunal therefore refused the application.

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.



Legal Member/Chair

28 August 2025

Date