

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 51 of the Private Housing
(Tenancies) (Scotland) Act 2016**

Chamber Ref: FTS/HPC/EV/24/5507

Property : Flat 5, 3 Newton Street, Edinburgh EH11 1TQ (“Property”)

Parties:

Latif Mirza, 2 Craigmount Avenue North, Edinburgh EH12 8DQ (“Applicant”)

**Letslet Property Ltd, 5 Clerk Street, Edinburgh EH8 9JH (“Applicant’s
Representative”)**

Elizabeth Ohene, Flat 5, 3 Newton Street, Edinburgh EH11 1TQ (“Respondent”)

**CHAI, 28 Westfield Avenue, Edinburgh EH11 2QH (“Respondent’s
Representative”)**

Tribunal Members:

Joan Devine (Legal Member)

Sandra Brydon (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber)
 (“Tribunal”) determined to dismiss the application.**

Background

The Applicant sought recovery of possession of the Property. The Applicant had lodged Form E. The documents produced were: a private residential tenancy agreement which commenced on 6 July 2020; Notice to Leave addressed to the Respondent under Section 50(1)(a) of the Private Housing (Tenancies) (Scotland) Act 2016 ("Act") dated 26 August 2024 ("Notice to Leave") with covering email of the same date; copy quote regarding works to be carried out to the Property from SR Gas Specialists dated 19 February 2025 and notification to the Local Authority in terms of Section 11 of the Homelessness Etc. (Scotland) Act 2003 with covering email. A Case Management Discussion (“CMD”) was fixed for 20 October 2025. The Application was served on the Respondent by sheriff officer on 29 August 2025. On 6 November 2025 the Respondent’s Representative lodged a written representation.

Case Management Discussion

A CMD took place before the Tribunal on 10 November 2025 by teleconference. The Applicant was represented by Andrena Rowley of the Applicant's Representative. The Respondent was represented by Andrew Wilson of the Respondent's Representative.

Ms Rowley told the Tribunal that the rent for the Property had been £870 per month and that a rent increase notice had been issued which increased the rent to £1200 per month with effect from November 2025. She said that the rent increase had not been challenged. She said that the Applicant proposed to work with the Respondent to arrange for the refurbishment works to be carried out while she continued to reside in the Property. She said that an order for possession of the Property was no longer required.

Mr Wilson confirmed that the Respondent would work with the Applicant to facilitate the works being carried out following disposal of the application.

Decision

The Tribunal determined to dismiss 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.

Joan Devine

**Joan Devine
Legal Member**

Date : 10 November 2025