

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 97 (2) of the Antisocial Behaviour etc. (Scotland) Act 2004

Chamber Ref: FTS/HPC/PR/25/1714

Re: Property at Flat 2, 1 Hill Park Rise, Edinburgh, EH4 7BB (“the Property”)

Parties:

Mr Stephen Day, 101 Asia House, 82 Princess Street, Manchester, M1 6BD (“the Applicant”)

Edinburgh City Council, Waverley Court G1, 4 East Market Street, Edinburgh, EH8 7BG (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Applicant)

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) refuses the Appeal.

[2] When this Application called for a Case Management Discussion at 2pm on 25 November 2025, the Respondent was represented by their own Mr Matthew Gormley and Mr Mays, Solicitor. There was no appearance by or behalf of the Applicant. The Applicant had been notified of the date and time of the Hearing and so the Tribunal decided to proceed in the Applicant’s absence.

[3] Mr Mays pointed out that the Appeal seemed pointless as the relevant Rent Penalty Notice that was the subject of the Appeal had been revoked on 7 August 2024. It had even been revoked before this Appeal was lodged.

[4] The Tribunal therefore concluded that the best course of action was simply to refuse this Appeal on the basis that it was no longer being insisted upon and in any event the relevant Rent Penalty Notice had been revoked.

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.

A. McLaughlin

25 November 2025

Legal Member/Chair

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Date