



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/25/3610

Re: Property at 1 Glendevon Terrace, Edinburgh, EH12 5UW (“the Property”)

Parties:

Mr Richard Goodwin, 11 Leys Hill, Frome, Somerset, BA11 2JZ (“the Applicant”)

Ms Carin Lawson, 1 Glendevon Terrace, Edinburgh, EH12 5UW (“the Respondent”)

Tribunal Members:

Serena Weir (Legal Member) and Gerard Darroch (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order should be granted for payment in the sum of SEVEN THOUSAND, NINE HUNDRED AND TWENTY-TWO POUNDS AND SEVENTY ONE PENCE (£7,922.71)

Background

1. By application dated 20 August 2025, the Applicant sought an order under section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 (“**the Act**”) and in terms of rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“**the Regulations**”).
2. On 06 October 2025 the application was accepted by the tribunal and referred for determination by the tribunal.
3. A Case Management Discussion (“**CMD**”) was set to take place on 10 March 2026 and appropriate intimation of that hearing was given to both parties.
4. The application was heard together with a conjoined application involving the same parties for an eviction order under tribunal reference FTS/HPC/EV/25/3609.

The Case Management Discussion

5. The CMD took place on 10 March 2026 via telephone case conference. The Applicant was represented by Mr Puren of Pure Property Management. The

Respondent was represented by Ms Bennett of Edinburgh Housing Advice Partnership (EHAP) / Community Help and Advice Initiative (CHAI).

6. The tribunal explained the purpose of the CMD and the powers available to the tribunal to determine matters.
7. The tribunal asked various questions of the Applicant's representative with regard to the application. The tribunal also asked various questions of the Respondent's representative with regard to the application and the supporting papers, none of which was disputed by the Respondent.
8. Produced alongside the application was a copy of the Private Residential Tenancy Agreement signed on 01 September 2020, two rent increase notices dated 01 April 2023 and 01 March 2025, a tenant statement of account and correspondence to the tenant dated 06 July 2022, 11 June 2024, 31 July 2024, 06 and 20 August 2024 and 14 May 2025.
9. Two preliminary matters were raised by the tribunal in relation to the sum sued for. The first was that, included in the sum sued for was the amount of £150 said to be owed by the Respondent in relation to a Short Assured Tenancy which immediately pre-dated the Private Residential Tenancy which was the subject of the application. The Applicant's representative accepted that there was no reference to the Short Assured Tenancy in either the application or the pre-action correspondence. It was also accepted that there was no reference in the tenant statement of account which was before the tribunal about the level of rent owed under the Short Assured Tenancy when the Private Residential Tenancy was entered into.
10. The second issue raised by the tribunal was the email from the Applicant's representative dated 27 February 2026 in which he sought to amend the sum sued for from £8,072.71 to £15,722.71 in relation to unpaid rent due after the date on which the present application was made. The Applicant's representative explained that notice of the increase in the sum claimed was given by him to the Respondent by email on 27 February 2026. Having outlined (i) the 14 day notice period set out at rule 14A of the Regulations for a party seeking to amend the sum claimed; and (ii) the various options open to the Applicant, the Applicant's representative confirmed that he was asking the tribunal to make an order in the amount set out in the application. It was noted that a further application could be made in relation to any balance said to be owed by the Respondent to the Applicant in relation to unpaid rent due after the date on which the present application was made.

Findings in Fact

11. The Applicant is the registered joint owner of the property.
12. The Applicant (together with the other joint owner of the property) and the Respondent, as respectively the landlord and tenant, entered into a tenancy of the property which commenced on 14 September 2020.
13. The tenancy was a Private Residential Tenancy in terms of the Act.
14. The initial agreed monthly rental was £1,230. Rent was increased to £1,266 per month from 01 July 2023. Rent was later increased to £1,300 per month from 11 June 2025.

15. Arrears started to accrue in January 2022. As at the date of the lodging of the application, arrears in relation to the Private Residential Tenancy amounted to £7,922.71.
16. Appropriate accounting had been provided with the application to the tribunal in respect of the outstanding rent due under and in terms of the Private Residential Tenancy.

Reasons for Decision

1. The tribunal accepted the unchallenged evidence provided in support of the application and found that the sum of £7,922.71 was lawfully due under and in terms of the Private Residential Tenancy.
2. The tribunal was not satisfied that the Applicant had given fair notice to the Respondent that the sum of £150 was also sought in relation to a balance said to be owed under the previous Short Assured Tenancy. There was no reference to this in the application itself or any of the pre-action correspondence sent to the Respondent. There was no evidence before the tribunal of the Short Assured Tenancy or the balance said to have been owed and carried over from that tenancy into the Private Residential Tenancy. For those reasons, the tribunal was not prepared to make an award in relation to this head of claim.
3. The application dated 27 February 2026 to amend the sum sued was not made to the tribunal and Respondent at least 14 days before the CMD and so the tribunal was not able to consider this at the CMD.
4. The tribunal also exercised the power within rule 17 of the Regulations and determined that a final order should be made at the CMD.

Decision

The order for payment of the sum of SEVEN THOUSAND, NINE HUNDRED AND TWENTY-TWO POUNDS AND SEVENTY ONE PENCE (£7,922.71) by the Respondent to the Applicant is granted.

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.

Serena Weir

Legal Member/Chair

Date: 10/03/2026