



**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/25/4621**

**Re: Property at 56 Columba Road, Edinburgh, EH4 3RB (“the Property”)**

**Parties:**

**Mr Mansoor Akhtar Ali, 10 Brighthouse Park Gardens, Edinburgh, EH4 6GY (“the Applicant”)**

**Ms Asia Hamid, 56 Columba Road, Edinburgh, EH4 3RB (“the Respondent”)**

**Tribunal Members:**

**Nicola Irvine (Legal Member) and Mary Lyden (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted an Order for Payment against the Respondents in favour of the Applicant in the sum of £18,650 with interest at the rate of 4% per annum from the date of this decision until payment.**

**Background**

1. The Applicant submitted an application under Rule 109 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017. The Applicant sought an order to evict the Respondent from the Property.
2. A Convenor of the Housing and Property Chamber (“HPC”) having delegated power for the purpose, referred the application under Rule 9 of the Rules to a case management discussion (“CMD”).
3. Letters were issued on 19 February 2026 informing both parties that a CMD had been assigned for 1 April 2026 at 10am, which was to take place by conference call. In that letter, the parties were also told that they were required to take part in the discussion and were informed that the Tribunal could make

a decision today on the application if the Tribunal has sufficient information and considers the procedure to have been fair. The Respondent was invited to make written representations by 12 March 2026. No representations were received by the Tribunal.

4. On 17 March 2026, the Tribunal received an email from the Applicant's representative, attaching an updated rent statement and advising that the Applicant sought to increase the sum sued for. The rent statement disclosed that the rent arrears amounted to £17,450 but a further payment of rent would be due before the CMD. The email was copied to the Respondent.

#### **The case management discussion – 1 April 2026**

5. The CMD took place by conference call. The Applicant was represented by Mr. Aaron Doran, solicitor. The Respondent did not join the conference call and the discussion proceeded in her absence. This case called alongside a related case which proceeds under chamber reference FTS/HPC/EV/25/4619. The Tribunal explained the purpose of the CMD.
6. The Applicant's representative explained that the Respondent has been in receipt of benefits and rental payments were always made by the Respondent rather than housing benefit being paid directly to the Applicant. No rent was paid from June 2023 to January 2024 and the Applicant understands that related to an issue with the Respondent's benefit entitlement. The last time the Respondent made a payment to the rent account was in December 2025. The Respondent has not engaged at all with the Applicant's representative. The rent arrears have increased to £18,650 and the Respondent has not made any proposal to pay the arrears or the ongoing rent. The Applicant's representative moved for an order for payment in the increased sum of £18,650 with interest. Although there is no contractual provision for interest, the Applicant's representative moved the Tribunal to exercise discretion in terms of Rule 41A.
7. The Tribunal adjourned the CMD briefly to allow the members to consider the information provided. When the CMD was reconvened, the Tribunal advised the Applicant's representative that an order for payment was granted in the sum of £18,650 plus interest at the rate of 4% per annum from the date of this decision until payment.

#### **Findings in Fact**

8. The Applicant is the heritable proprietor of the Property at 56 Columba Road, Edinburgh, EH4 3RB.
9. The Respondent is the tenant at the Property.
10. The parties entered into a private residential tenancy which commenced 31 March 2021.

11. The contractual monthly rent was £1,500, payable in advance although the parties had agreed to a reduced monthly rent of £1,200.
12. The Respondent has accrued rent arrears in the sum of £18,650 and owes that sum to the Applicant.

### **Reason for Decision**

12. The Tribunal was satisfied that it could make relevant findings in fact in order to reach a decision following the CMD, and that to do so would not be contrary to the interests of the parties in this case. The Respondent was given the opportunity to attend the CMD but did not participate. The Tribunal therefore considered it could accept the evidence and submissions on behalf of the Applicant, there being no contradictory evidence before it.
13. The Tribunal was satisfied that the Respondent had a contractual obligation to pay rent of £1,200 per month. The Respondent has failed to comply with her obligation in this regard, resulting in arrears of £18,650 being due. The Respondent has not sought to dispute this.
14. The Tribunal was asked to award interest at the rate of 4% per annum. There was no contractual obligation to pay interest. However, the application made it clear that the Applicant would seek interest on any sum due. The Respondent therefore had notice that this would be sought. The Tribunal was satisfied that it should exercise its discretion under Rule 41A of the Rules to award interest at the rate of 4% per annum from the date of this decision until payment. The Tribunal considered that 4% was a reasonable rate in the particular circumstances of this case which is slightly higher than the current Bank of England base rate. It noted that the Respondent had not sought to challenge this.
15. The Tribunal therefore determined to make an order for payment in the sum of £18,650 with interest at the rate of 4% per annum from the date of this decision until payment.

### **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.**

# Nicola Irvine

Legal Member/Chair

1 April 2026  
Date