



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/25/4486

Re: Property at 6 Royston Mains Road, Edinburgh, EH5 1JH (“the Property”)

Parties:

Dr Rami Sawalha, 10 Hedgehog Crescent, Edinburgh, EH17 8XP (“the Applicant”)

Mr Miroslaw Kozuch, Miss Anna Juszynska, 6 Royston Mains Road, Edinburgh, EH5 1JH (“the Respondent”)

Tribunal Members:

Melanie Barbour (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that it would grant a payment order for the sum of SEVEN THOUSAND ONE HUNDRED AND TWENTY NINE POUNDS (£7,129.00) STERLING

Background

1. An application was made under Rule 111 of the First Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 (“the 2017 Rules”) seeking an order for payment by the Applicant against the Respondent for the Property.
2. The application contained: -

- a. the tenancy agreement,
 - b. rent statement
 - c. rent increase notice
3. A case management discussion took place on 19 May 2026. The applicant attended. Notice of the Case Management Discussion had been made by the sheriff officers. The respondents did not appear. The tribunal was prepared to proceed in their absence, given they had notice of the Case Management Discussion.

Discussion

4. The Applicant advised that he sought an order for payment of the reduced sum of £7,129. He had provided a copy of the Tenancy agreement, rent increase notice and rent statement. He advised that since the application had been lodged, the tenants had started paying the rent and something towards the arrears. The arrears had reduced to £7129. He advised that there was a long history of the tenants not paying rent, and he wanted the formal order in case they defaulted again.

Findings in Fact

5. The Tribunal found the following facts established: -
6. There existed a private residential tenancy.
7. The tenant was Mr Miroslaw Kozuch, Miss Anna Juszynska.
8. The landlord was Dr Rami Sawalha.
9. The property was 6 Royston Mains Road, Edinburgh, EH5 1JH.
10. The tenancy stated that rent was £695; it had increased to £750 in July 2022.
11. As of 19 May 2026, the arrears were £7,129.

Reasons for Decision

12. Section 71 of the 2016 Act provides the Tribunal with the power to deal with civil matters arising out of private residential tenancies. Liability for failure to pay contractual rent is such a matter arising out of that contract.

13. The applicant's agent confirmed that they sought an order for payment. They had provided a copy of the tenancy agreement. The arrears were now £7,129. The rent statement was provided in support of the application. It showed how the arrears had accrued. The sum appeared due.

Decision

14. The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that it would grant a payment order for **SEVEN THOUSAND ONE HUNDRED AND TWENTY NINE POUNDS (£7,129.00) STERLING**

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.

Melanie Barbour

19 May 2026

Legal Member/Chair

Date

