



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014

Chamber Ref: FTS/HPC/CV/25/4750

Re: Property at 1/1 Sandilands Close, Edinburgh, EH16 4HS (“the Property”)

Parties:

Manor Estates Associates Limited, 5 New Mart Place, Edinburgh, EH14 1RW (“the Applicant”)

Ms Lindsay Rogers, whose whereabouts are to the Applicant unknown (“the Respondent”)

Tribunal Members:

Gillian Buchanan (Legal Member)

Decision (in absence of the Respondent)

At the Case Management Discussion (“CMD”), which took place by telephone conference on 11 May 2026, the Applicant was represented by Ms Simone Callaghan of TC Young. The Respondent was neither present nor represented and had lodged no written representations.

The tribunal was satisfied that the requirements of Rule 24(1) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”) had been satisfied relative to the First Respondent having received notice of the CMD and determined to proceed in the absence of the Respondent in terms of Rule 29.

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that –

Background

The Tribunal noted the following background:-

- i. The Applicant leased the Property to the Respondent in terms of a Short Assured Tenancy Agreement (“the SAT”) that commenced on 12 February 2016.

- ii. The rent payable in terms of the SAT was initially agreed to be £561 per calendar month and had been increased subsequently on a number of occasions.
- iii. The deposit paid in terms of the SAT was agreed to be £561.
- iv. The Respondent vacated the Property in November 2025.
- v. The rent arrears due as at the date of the application were £7015.00.

The CMD

At the CMD Ms Callaghan for the Applicant made the following representations in response to questions from the Tribunal:-

- i. There had been no contact from the Respondent.
- ii. The Property is owned by Manor Estates Housing Association Limited which leases the Property to the Applicant by means of a Head Lease.
- iii. There have been 5 increases in rent since the SAT began with the latter rent being £833 per month.
- iv. At the end of the SAT, the deposit was recovered by the Applicant and has been offset against the arrears of rent due which left a sum of £7,009.33 still due.
- v. A payment order for £7,009.33 is sought.
- vi. The SAT contains no interest provision but the Applicant asks the Tribunal to exercise its discretion in terms of Rule 41A of the Rules and award interest to the Applicant at 8% from the date of the decision of the Tribunal. It is hoped that the accrual of interest will encourage the Respondent to pay the debt due.

Findings in Fact

- i. The Property is owned by Manor Estates Housing Association Limited which leases the Property to the Applicant by means of a Head Lease.
- ii. The Applicant leased the Property to the Respondent in terms of the SAT that commenced on 12 February 2016.
- iii. The rent payable in terms of the SAT was initially agreed to be £561 per calendar month and had been increased subsequently on a number of occasions to £833 per month latterly.
- iv. The deposit paid in terms of the SAT was agreed to be £561.
- v. The Respondent vacated the Property in November 2025.
- vi. At the end of the SAT, the deposit was recovered by the Applicant and has been offset against the arrears of rent due which leaves a sum of £7,009.33 still payable.
- vii. The SAT contains no interest provision.

Reasons for Decision

The Respondent did not submit any representations to the Tribunal and did not attend the CMD. The factual background narrated by the Applicant within the application papers and orally by Ms Callaghan at the CMD was not challenged and was accepted by the Tribunal.

The Tribunal determined that the unpaid rent still due is £7,009.33 and determined that an award of interest is appropriate given the size of debt due, albeit at the lower rate of 3% per annum.

Decision

The Tribunal granted a payment order against the Respondent in favour of the Applicant in a sum of £7,009.33 with interest on that amount from the date hereof at 3% per annum 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.

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Legal Member/Chair

11 May 2026
Date