



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/25/4677

Re: Property at 109 Newcraighill Road, Edinburgh, EH21 8QU ("the Property")

Parties:

Russell Hansen Ltd, 106 Newcraighill Road, Edinburgh, EH21 8QU ("the Applicant")

Mr Sholto Laumeier, 109 Newcraighill Road, Edinburgh, EH21 8QU ("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 28 May 2026 the Applicant was represented by Mr Ibe Hansen. The Respondent was neither present nor represented.

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 is the heritable proprietor of the Property.
- ii. The application concerns a Private Residential Tenancy ("the PRT") entered into between the parties relative to the Property that commenced on 15 September 2021.
- iii. In terms of the PRT the rent was stated to be £690 per calendar month.
- iv. The rent has subsequently increased on three occasions.
- v. A deposit of £625 was paid by the Respondent to the Applicant in terms of the PRT.

- vi. In terms of the application the Applicant seeks a payment order in a sum of £3,732.48 being rent arrears accrued as at the date thereof "*or whatever total they reach at the time of the final hearing*".
- vii. The application is dated 27 October 2025.

The CMD

At that CMD and in response to questions from the Tribunal Mr Hansen stated:-

- i. Following the grant of an eviction order the Respondent was evicted from the Property on 21 May 2026.
- ii. The outstanding rent arrears due are £4,482.48.
- iii. Whilst the rent arrears increased from time to time the Respondent continued to pay £690 per month being the amount originally due in terms of the PRT. He made no payment in May 2026.
- iv. The Respondent appealed the last rent increase and following a rent determination the rent was set at £950 per calendar month. The Applicant has backdated the rent payable at £950 per month to 15 August 2025 in calculating the arrears still due.
- v. With regard to the deposit the Applicant is still to make a claim for repayment of the deposit. However, the Respondent left the Property in a state. He was a hoarder and 40 bin liners of his belongings have been collected up. Mr Hansen is pricing the cost of a skip. If any of the deposit remains after clearing the Property the that sum will be offset against the rent arrears.
- vi. The Applicant seeks a payment order in the sum of £4,482.48.

Findings in Fact

- i. The Applicant is the heritable proprietor of the Property.
- ii. The application concerns the PRT entered into between the parties relative to the Property that commenced on 15 September 2021.
- iii. In terms of the PRT the rent was stated to be £690 per calendar month.
- iv. The rent has subsequently increased on three occasions.
- v. Whilst the rent arrears increased from time to time the Respondent continued to pay £690 per month being the amount originally due in terms of the PRT. He made no payment in May 2026.
- vi. The Respondent appealed the last rent increase and following a rent determination the rent was set at £950 per calendar month.
- vii. The Applicant has backdated the rent payable at £950 per month to 15 August 2025 in calculating the arrears still due.
- viii. A deposit of £625 was paid by the Respondent to the Applicant in terms of the PRT.
- ix. Following the grant of an eviction order the Respondent was evicted from the Property on 21 May 2026.
- x. The outstanding rent arrears due are £4,482.48.
- xi. With regard to the deposit the Applicant is still to make a claim for repayment of the deposit. The Respondent left the Property in a state. He was a hoarder and 40 bin liners of his belongings have been collected up. Mr Hansen is pricing the cost of a skip. If any of the deposit remains after clearing the Property the that sum will be offset against the rent arrears.

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 Mr Hansen at the CMD was not challenged and was accepted by the Tribunal.

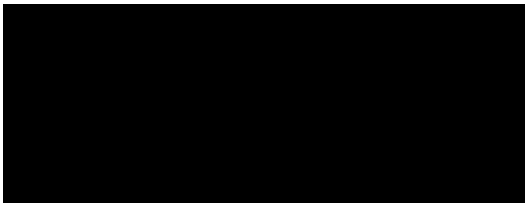
The Tribunal determined that the unpaid rent still due is £4,482.48.

Decision

The Tribunal granted a payment order against the Respondent in favour of the Applicant in a sum of £4,482.48.

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.



Legal Member/Chair

28 May 2026
Date