



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

Chamber Ref: FTS/HPC/CV/26/0234

Re: Property at 263F Niddrie Mains Road, Edinburgh, EH15 3HG (“the Property”)

Parties:

**Mr Hammad Saqib, Flat F, Mill Street, Langham House West, Luton, LU1 2NA
 (“the Applicant”)**

**Mr Ruben Silva, formerly residing at 263F Niddrie Mains Road, Edinburgh,
EH15 3HG and whose present whereabouts are unknown (“the Respondent”)**

Tribunal Members:

James Bauld (Legal Member)

Decision (in absence of the Respondent)

**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 THREE THOUSAND, SEVEN HUNDRED AND EIGHTY FOUR POUNDS AND
FIFTEEN PENCE (£3,784.15)**

Background

1. By application dated 14 January 2026, 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 procedure rules”).
2. On 10 March 2026 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 2 July 2026 and appropriate intimation of that hearing was given to the parties.

The Case Management Discussion

4. The Case Management Discussion (CMD) took place on via telephone case conference. The applicant was not in attendance but was represented by his letting agent, Ms Sophie Strand, from Northwood, Edinburgh. The Respondent did not take part.
5. The tribunal explained the purpose of the CMD and the powers available to the tribunal to determine matters.
6. The tribunal asked various questions of the applicant's representative with regard to the application.
7. The applicant's representative confirmed that she wished the order for payment to be made.

Findings in Fact

8. The Applicant is the registered owner of the property.
9. The Applicant and the Respondent as respectively the landlord and tenant entered into a tenancy of the property which commenced on 19 October 2021
10. The tenancy has now terminated, the respondent having vacated the property in May 2026.
11. The tenancy was a private residential tenancy in terms of the Act.
12. The initial agreed monthly rental was £1,095. It was increased in December 2022 to £1,150 and again in July 2024 to £1,225.
13. Arrears had started to accrue in April 2025 and at the date of the lodging of the application arrears amounted to £2,144.15.
14. The amount of arrears at the date of the CMD was £3,784.15.
15. Appropriate accounting had been provided in respect of the outstanding rent with the application to the tribunal.

Reasons for Decision

16. The tribunal accepted the unchallenged evidence of the applicant regarding the outstanding sums.
17. The amount outstanding at the date of the CMD was £3,784.15 and an appropriate application had been lodged and intimated by the applicant's representative increasing the sum claimed to £3,784.15. The tribunal was content to make an order for payment of the amended sum claimed.
18. The tribunal also exercised the power within rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 and determined that a final order should be made at the CMD.

Decision

The order for payment of the sum of £3,784.15 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.

James Bauld

Legal Member/Chair

2 July 2026
Date