



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) in respect of an application under Sections 58 and 59 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”) and Rule 110 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)

Chamber Ref: FTS/HPC/PR/25/4016

Re: Property at Flat 28, 28 Simpson Loan, Quartermile, Edinburgh, EH3 9GG (“the Property”)

Parties:

Miss Xin Yi Fiona Chen, residing at 5612 Clerk Street, Edinburgh and Miss Yu Xin Chen residing at 9 Clarkson Row, London, NW1 7RA (“the Applicants”)

Mrs Victoria Jane Gibson and Mr David Russell Gibson, both present whereabouts unknown (“the Respondents”)

Tribunal Member:

Karen Moore (Legal Member)

Background

1. By application received between 18 September 2025 (“the Application”), the Applicants applied to the Tribunal for a wrongful-termination Order of a tenancy between the Parties in terms of Section 58 of the Act and for an Order for payment of £9,444.00 in terms of Section 59 of the Act, being six times the monthly rent of £1,574.00.
2. The Application comprised a copy of the tenancy agreement between the Applicant, copy rent increase notice, copy of a Notice to Leave with an effective date of 19 May 2025 in respect of Ground 1 of Schedule 3 to the Act

being landlord intends to sell and copy advertisement dated 7 August 2025 offering the Property for let.

First CMD

3. The Application was accepted by the Tribunal and a Case Management Discussion ("CMD") took place by telephone conference call at 2.00pm on 12th March 2026. Miss Yu Xin Chen attended on behalf of both Applicants. There was no attendance by or on behalf of the Respondents and it appeared that they might not have been aware of the proceedings. Therefore, the CMD was continued to a later date in order to effect service on the Respondents.

Second CMD

4. The second CMD was fixed for 17 June 2026 at 14.00, the date and time of which was intimated to the Applicants by emailed letter and to the Respondents by advertisement on the tribunal chamber website, their present address not having been traced.
5. Neither Party appeared nor were they represented at the second CMD. The tribunal clerk was unsuccessful in attempting to make contact with the Applicants by telephone.

Decision and reasons for the decision.

6. As neither Applicant was present, the Tribunal had no evidence or information that the Orders were still sought and so the Tribunal dismissed the Application without making any Orders.

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.

Karen Moore

Legal Member/Chair

17 June 2026
Date