

Housing and Property Chamber
First-tier Tribunal for Scotland



Private Housing (Tenancies) (Scotland) Act 2016

Notification Of Decision

REFERENCE NO.

FTS/HPC/RN/25/5518

OBJECTION RECEIVED

23 December 2025

ADDRESS OF PREMISES

Flat 4F2, 131/14 Grove Street, Edinburgh, EH3 8AA

TENANT

Ms Nikkita Morgan

**NAME AND ADDRESS OF
LANDLORD**

Mr Phil Cifelli
17 Greenbank Loan, Edinburgh, EH10
5SJ

DESCRIPTION OF PREMISES

The property is a front facing fourth floor flatted dwellinghouse entering from a common passage and stair in a stone-built tenement. Access to the stair is controlled by a secure entry phone system. The front door of the property opens onto a central hallway which provides access to each room. There is one bedroom, a living room with galley kitchen, and a bathroom with a three-piece sanitary suite and a shower over the bath.

Remarks: N/A

SERVICES PROVIDED

None

TRIBUNAL MEMBERS

CHAIRPERSON

Paul Doyle

ORDINARY MEMBER (SURVEYOR)

David Godfrey

ORDINARY MEMBER

FAIR RENT	DATE OF DECISION	EFFECTIVE DATE
£ 975.00 p.a.	12 August 2026	15 August 2026

Paul Doyle

Chairperson of tribunal

12 August 2026

Date



**Statement of Reasons for Decision of the First-tier Tribunal for Scotland
(Housing and Property Chamber under Section 28 of the Private Housing
(Tenancies) (Scotland) Act 2016 ("the 2016 Act"))**

Case Reference Number: FTS/HPC/RN/25/5518

Re property at Flat 4F2, 131/14 Grove Street, Edinburgh, EH3 8AA

Parties

**Mr Philip Cifelli, residing at 17 Greenbank Loan, Edinburgh, EH10 5SJ
("the landlord")**

**Ms. Nikkita Morgan residing at Flat 4F2, 131/14 Grove Street, Edinburgh,
EH3 8AA ("the tenant")**

Tribunal Members:-

Mr Paul Doyle (Legal Member)

Mr David Godfrey (Ordinary (Surveyor Member))

Introduction:-

1. This is a reference to the tribunal in respect of the property at Flat 4F2, 131/14 Grove Street, Edinburgh, EH3 8AA. The landlord is Mr Philip Cifelli. The tenant is Ms. Nikkita Morgan. The tenancy is a private residential tenancy under the Private Housing (Tenancies) (Scotland) Act 2016 ("the 2016 Act").

2. On 29 October 2025 the landlord served a notice on the tenant under Section 22(1) of the 2016 Act indicating that he intended to increase the rent on the property from £900.00 per calendar month to £1000.00 per calendar month with effect from 15 February 2026.



3. The tenant timeously objected to that proposed increase by referring the proposed increase to the Rent Service Scotland.

4. By review determination dated 17 December 2025, the rent officer fixed the rent at £925.00 per calendar month.

5. The landlord appealed the rent officer's determination by application dated 23 December 2025 and the matter was referred to the tribunal. Written representations were received from both parties.

6. Both parties were notified that an inspection and hearing would take place and were invited to attend the inspection and hearing. The inspection took place at the property on 12 August 2026 at 10.00 a.m. and a hearing took place at Edinburgh Tribunal Centre, at 11.45 am. The Tenant was present at the inspection and the hearing. The landlord attended neither the inspection nor the hearing.

7. The casefile revealed that the landlord was given notice of the time, date, and place of the inspection and hearing by emails dated 17 June 2026 and 7 August 2026. The landlord's position is adequately set out in his written submissions dated 22 December 2025 and 22 February 2026.

Findings in Fact

8. (a) The property is a front facing fourth floor flatted dwellinghouse entering from a common passage and stair in a stone-built tenement. Access to the stair is controlled by a secure entry phone system. The front door of the property opens onto a central hallway which provides access to each room. There is one bedroom, a living room with galley kitchen, and a bathroom with a three-piece sanitary suite and a shower over the bath.



(b) The property benefits from gas central heating and UPVC double glazing throughout. The Landlord had provided white goods (washing machine, fridge, freezer and cooker). The bedroom and living room are carpeted, the remaining floor coverings are a mix of laminate and vinyl covering. The landlord provides the furniture. There is a back green (which is filled with neighbouring proprietors' discarded property) and on street parking.

(c) The floor area of the property is 42 square metres. The subjects are let furnished.

The Hearing

9. The landlord provided a list of suggested comparable properties. The rental disclosed by those figures, for a comparable one bedroomed property in the EH3 postcode, range from £975pcm to £1220pcm.

10. The tenant has not identified any properties as comparable to this property.

11. Tribunal members could see that there are currently at least two other similar properties to let in the same street. One of these is a comparable one bedroomed property which is now marketed for rental at £1025pcm. The other has two bedrooms and is not directly comparable. A property at 203 Fountain bridge is currently marketed for rental at £995pcm.

12. The tribunal checked for properties available for rent within the EH3 postcode area and found rental values ranging from £995 to £1100.

13. We find that the average rent for a fourth floor, one bedroomed, flat in a stone-built tenement in EH3 is £1000pcm.



14. The tribunal is aware that the two relevant methods of assessing the open market rent in Scotland are determining the open market rent by reference to market rents of comparable properties or determining the open market rent by reference to the anticipated annual return based on the capital value of the property. Neither of these methods is the primary method.

15. The task of determining an open market rent is a composite task which takes account of both of these methods. The appropriate method depends on the facts and circumstances of each case. The observations of the Lord President in Western Heritable Investment Co Ltd v Hunter (2004) and also in the case of Wright v Elderpark Housing Association (2017) reminds the Tribunal to proceed on the best available evidence and use the other evidence as a cross check, where possible. The predominant method of assessing the open market rent in Scotland is determining the open market rent by reference to the market rents of comparable properties. In this case the tribunal had no evidence of the capital value of the subjects.

The Law

16. The Tribunal is bound to fix an open market rent for the subjects by applying the terms of the 2016 Act. The Tribunal is required to determine the rent at which, subject to certain assumptions in the Act, the Tribunal considers that the subjects might reasonably be expected to achieve if they were let on the open market by a willing landlord to a hypothetical willing tenant under a private residential tenancy.



Discussion and decision

17. We accept the comparable values put forward by the landlord. The Tribunal considered a variety of properties which were available for let in the EH3 area but found that the properties in the EH3 postcode are of mixed quality and differing values. The fixtures and fittings in this property are tired and the property would benefit from some upgrading.

18. The tribunal carefully considered the written submissions received from both parties.

19. Taking account of the size and the location of the property, the Tribunal took the view that the market rent for furnished properties comparable to the subject property, assuming it was in good condition and had all the usual facilities associated with such a property would be in the region of £1,000pcm. However, we adjust the rental figure for this property to £975pcm to reflect the condition of the interior of the property.

20. The Tribunal noted that no services are provided by the landlord.

21. In reaching this decision the Tribunal had regard to all the circumstances required to be taken into account in terms of Section 32 of the 2016 Act.

22. The Tribunal having decided that the market rent for this property should be £975 per month that rent shall apply and take effect from 15 August 2026 taking into account the provisions of section 29(2) of the 2016 Act.

23. The decision of the Tribunal was unanimous

Signed *Paul Doyle*
Legal Member

Date 13 August 2026