



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51 of the Private Housing (Tenancies)(Scotland) Act 2016

Chamber Ref: FTS/HPC/EV/26/0797

Re: Property at 1 (2F1) Leslie Place, Edinburgh, EH4 1NG ("the Property")

Parties:

Andouji Limited, 39 Sandport Street, Edinburgh, EH6 6EP ("the Applicant")

Lorraine Blakemore, 1 (2F1) Leslie Place, Edinburgh, EH4 1NG ("the Respondent")

Tribunal Members:

Gillian Buchanan (Legal Member) and Jane Heppenstall (Ordinary Member)

Decision (in absence of the Respondent)

At the Case Management Discussion ("CMD"), which took place by telephone conference on 25 August 2026, the Applicant was represented by Ms Ashleigh Mazouji and Mr Jamie Anderson as well as their legal representative, Mr Adam Gardiner of Lindays, Solicitors, Edinburgh. A colleague of Mr Gardiner also attended to observe. 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 Respondent having received notice of the CMD.

The CMD was also in respect of the related application bearing reference FTS/HPC/CV/26/0804.

Prior to the CMD and by email dated 11 August 2026, Mr Gardiner had lodged additional written representations.

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 Applicant leased the Property to the Respondent in terms of a Private Residential Tenancy Agreement ("the PRT") that commenced on 16 August 2024.
- iii. The rent payable in terms of the PRT was agreed to be £1795.00 per calendar month payable on the 16th day of each month.
- iv. The deposit payable by the Respondent under the PRT was agreed to be £1795.00.
- v. On 17 December 2025, the Applicant's letting agent served on the Respondent by email a Notice to Leave requiring the Respondent remove from the Property by 22 January 2026 failing which Tribunal proceedings would be commenced. The Notice to Leave was issued on the basis that rent arrears had accrued over three consecutive months and the amount then due was £6,130.00.
- vi. On 18 February 2026 by email, the Applicant per its agent served on City of Edinburgh Council a Notice under Section 11 of the Homelessness etc (Scotland) Act 2003.
- vii. The Applicant's letting agent has served on the Respondent by letters dated 10 October 2025 and 3 December 2025 communications to comply with the Scottish Government's pre-action protocols.

The CMD

At the CMD Mr Gardiner made the following oral submissions to supplement this application and written representations already lodged –

- i. The last payment made by the Respondent was on 22 June 2026.
- ii. The rent arrears (to include the payment due on 16 August 2026) now stand at £14,170.
- iii. In correspondence with the Respondent she has confirmed that she is unemployed and under other financial strains. However, she has offered no proposals for payment despite repeated requests to do so.
- iv. Mr Gardiner spoke to the Respondent directly following intimation of the written submissions on 11 August 2026. She called Mr Gardiner to acknowledge the submissions and said she was not in a position to pay the arrears due nor to provide a proposal for payment.
- v. The Respondent is still resident in the Property. She lives there alone.
- vi. There are no known disabilities affecting the Respondent.
- vii. Payments made by the Respondent have been sporadic.
- viii. The deposit paid by the Respondent is still held in an approved scheme.
- ix. The Property is the Applicant's only rental property. Mr Anderson and his wife live together in a flat in Leith. The Property was previously his wife's home before moving in together. They had a baby last year and had hoped the Property would provide additional income.
- x. The Applicant seeks an eviction order.

Findings in Fact

The Tribunal made the following findings in fact –

- i. The Applicant is the heritable proprietor of the Property.
- ii. The Applicant leased the Property to the Respondent in terms of the PRT that commenced on 16 August 2024.
- iii. The rent payable in terms of the PRT was agreed to be £1795.00 per calendar month payable on the 16th day of each month.
- iv. The deposit payable by the Respondent under the PRT was agreed to be £1795.00.

- v. On 17 December 2025, the Applicant's letting agent served on the Respondent by email a Notice to Leave requiring the Respondent remove from the Property by 22 January 2026 failing which Tribunal proceedings would be commenced. The Notice to Leave was issued on the basis that rent arrears had accrued over three consecutive months and the amount then due was £6,130.00.
- vi. The last payment made by the Respondent was on 22 June 2026.
- vii. The rent arrears (to include the payment due on 16 August 2026) now stand at £14,170.
- viii. In correspondence with the Respondent she has confirmed that she is unemployed and under other financial strains. However, she has offered no proposals for payment despite repeated requests to do so.
- ix. Mr Gardiner spoke to the Respondent directly following intimation of the written submissions on 11 August 2026. She called Mr Gardiner to acknowledge the submissions and said she was not in a position to pay the arrears due nor to provide a proposal for payment.
- x. The Respondent is still resident in the Property. She lives there alone.
- xi. There are no known disabilities affecting the Respondent.
- xii. Payments made by the Respondent have been sporadic.
- xiii. The deposit paid by the Respondent is still held in an approved scheme.
- xiv. The Property is the Applicant's only rental property. Mr Anderson and his wife live together in a flat in Leith. The Property was previously his wife's home before moving in together. They had a baby last year and had hoped the Property would provide additional income.
- xv. On 18 February 2026 by email, the Applicant per its agent served on City of Edinburgh Council a Notice under Section 11 of the Homelessness etc (Scotland) Act 2003.
- xvi. The Applicant's letting agent has served on the Respondent by letters dated 10 October 2025 and 3 December 2025 communications to comply with the Scottish Government's pre-action protocols.

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 on its behalf at the CMD was not challenged and was accepted by the Tribunal.

The Respondent is in substantial rent arrears, being £14,170 as at the CMD. The Respondent has persistently delayed in paying rent and has offered no proposals to settle the sums due.

Pre action protocol letters have been properly issued.

It is reasonable to grant an eviction order in light of the debt due.

The Tribunal therefore granted an eviction order against the Respondent in favour of the Applicant.

Other Issues

The CMD did not commence until 2.08pm, a few extra minutes being allowed after the scheduled commencement time of 2.00pm to allow the Respondent to attend. She did not do so.

At 2.16pm the Tribunal Clerk interrupted the proceedings indicating that a colleague of his was speaking to the Respondent who had wanted to join the call. She was provided again with the dial in details. The Tribunal therefore paused the CMD to allow the Respondent to join the call. She still did not do so.

The Clerk then advised that the Respondent "was being a bit difficult" and was arguing with his colleague about certain matters rather than joining the call.

The Tribunal waited until 2.24pm. The Respondent had still not joined the call and the Tribunal therefore proceeded with the CMD leaving the conference line open to allow the Respondent to join if she wished to do so.

After further discussions with Mr Gardiner relative to both this application and the related payment application orders were granted in each case. By that time the Respondent had still not joined the call.

It was only after the Applicant's representatives had left the call following the grant of orders that the Respondent attempted to join the call. The Tribunal asked the Clerk to advise the Respondent that orders had already been granted and the proceedings concluded.

Decision

The Tribunal grants an eviction order against the Respondent in favour of the Applicant in terms of Ground 12 of Schedule 3 of the 2016 Act.

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.

Gillian Buchanan

Legal Member/Chair

25 August 2026
Date