



**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/26/1242

Re: Property at 15 Stenhouse Gardens, Edinburgh, EH11 3JL (“the Property”)

Parties:

DMF PROPERTY LTD, 11 Glenlockhart Bank, Edinburgh, EH14 1BL (“the Applicant”)

Nicoleta Muntean, Sorin-Feri Muntean, 15 Stenhouse Gardens, Edinburgh, EH11 3JL (“the Respondent”)

Tribunal Members:

Robert MacDonald (Legal Member) and Sandra Brydon (Ordinary Member)

Decision (in absence of the Respondents)

- 1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order is granted against the Respondents for payment of the Sum of nine thousand five hundred pounds (£9500.00) Sterling to the Applicant with interest on the sum outstanding at the rate of 8% per annum from the date of the order.**

Background

- 2. By application dated 18th March 2026 the Applicant sought an order under Section 71 of the Private Housing (Tenancies)(Scotland) Act 2016 (“2016 Act”) and rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“The Tribunal Rules”) against the Respondents for payment of rent arrears.**
- 3. On 21st April 2026 the application was accepted by the Tribunal and referred for determination by the Tribunal.**

4. A Case Management Discussion ("CMD") was scheduled for 15th September 2026. The Tribunal gave notice of the CMD to the parties in accordance with Rule 17(2) of the Rules by letter dated 6th August 2026. Intimation was made on the Respondents by sheriff officers who served this on them on 10th August 2026 at the property by handing the paperwork to the First Respondent personally.
5. The Respondents were invited to make any written representations to the Tribunal in respect of this application by 27th August 2026.

Case Management Discussion

6. The CMD took place on 15th September 2026 at 10:00 AM. Ms Nicola Brechany, solicitor, TC Young and Co appeared on behalf of the Applicant. There was no appearance on or on behalf of the Respondents. The Tribunal was satisfied that the Respondent had received notice of the CMD. The hearing did not start until 10:15, and the Respondents had ample time dial in to the CMD but did not do so. The Respondents had not lodged any written submissions with the Tribunal. The Tribunal took the view in all the circumstances it was appropriate to continue with the CMD in their absence.
7. The Tribunal had the following documents before it:-
 - a) Form F
 - b) Rent statements
 - c) A copy of the private residential tenancy agreement between the parties dated 30th December 2022.
 - d) An application by the Applicant to increase the sum claimed to £9500.
8. Ms Brechany invited the Tribunal to grant a Payment Order in the sum of £9500 with interest at the rate of 8% per annum. She advised the Tribunal that the current arrear was £10,400. No payment had been made since 1st October 2025.

Findings in Fact

9. The Applicant is a limited company. It is the owner of the property registered in the Land Register of Scotland under title number MID116125.
10. The Applicants and the Respondent entered into a Private Residential Tenancy agreement which commenced on 30th December 2022.
11. The agreed rent was £900 per calendar month.
12. Clause eight of the tenancy agreement included the provision that

"Interest on late payment of rent may be charged by the landlord at 8% per year from the date on which the rent is due until payment is made."

13. As at the date of the application to the Tribunal, the arrears of rent amounted to £5000.00.
14. As at the date the application was submitted to the Tribunal in terms of Rule 14A to increase the sum claimed, the arrears of rent amounted to £9500.
15. As the Tribunal was satisfied that the application to amend the sum claimed in terms of Rule 14A had been submitted timeously to the Tribunal and intimated to the Respondents, the Tribunal decided that the sum claimed could be amended to £9500.
16. As at the date of the CMD the arrears of rent amounted to £10,400.
17. The Tribunal accepted the unchallenged submission by Ms Brechany regarding the level of arrears of rent accumulated by the Respondents.
18. Given the contractual arrangement regarding interest the Tribunal considered that it was appropriate to award interest on the sum outstanding at the rate of 8% per annum from the date of the order.
19. The decision of the Tribunal was unanimous.

Decision

20. An order for payment against the Respondents in the sum of £9500 with interest on the sum outstanding at the rate of 8% per annum from the date of the order.

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.

Robert MacDonald

15.09.2026

Legal Member/Chair

Date