



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2016 (Act)**

Chamber Ref: FTS/HPC/CV/19/0671

Re: Property at Flat 11, 4 Kidlaw Close, Edinburgh, EH16 6FT (“the Property”)

Parties:

**Home Group Limited, 2 Gosforth Park Way, Gosforth Business Park,
Newcastle-upon-Tyne, NE12 8ET (“the Applicant”)**

**Miss Grace-Marie Naisby, Mr Alan Forester, Flat 11, 4 Kidlaw Close, Edinburgh,
EH16 6FT (“the Respondent”)**

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the Respondent pay the sum of £6,894.42 to the
Applicant in respect of rent arrears.**

Background

This is an application under section 16 of the Act and Rule 111 of the Tribunal
Procedure Rules in respect of rent arrears.

The Tribunal had regard to the following documents:

1. Application received 1 March 2019;
2. Private Residential Tenancy Agreement (**PRT**) commencing 31 March 2018;
3. Schedule of Rent Arrears at 20 February 2019;
4. Application to amend sum sued for dated 9 April 2019;
5. Sheriff Officer certificate of service dated 10 April 2019;
6. Email from 2nd Respondent dated 11 April 2019.

Case Management Discussion (CMD)

Mr Alan Strain

The case called for a CMD on 29 April 2019. The Applicant was represented. Neither Respondent appeared. The Tribunal had regard to the email from the 2nd respondent of 11 April 2019 advising that he would not attend the CMD and that he was content for the matter to proceed in his absence.

The Tribunal also noted that the notification of proceedings had been served by Sheriff Officers on the Respondents on 10 April 2019. The Respondents were aware that the Tribunal could determine matters if it had sufficient information and considered it fair to do so.

The Tribunal considered the application to amend. It had been served upon the Respondents. The Tribunal accordingly granted the application and increased the sum sued for to £6,894.42.

The Tribunal then considered the application for payment in the amended amount. The Tribunal found the following facts established:

1. The Parties entered in to a PRT commencing 31 March 2018;
2. The monthly rent was £689.43;
3. As at the date of the CMD the rent arrears were £6,894.42.

The Tribunal decided that an order should be granted for payment in that amount.

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.

Mr Alan Strain

Legal Member/Chair

29/4/19

Date