



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/19/0788

Re: Property at 218 Uppercraigour, Edinburgh, EH17 7SH (“the Property”)

Parties:

Dr Farrukh Iqbal, 15 Carnbee End, Liberton, Edinburgh (“the Applicant”)

Ms Kira Burns, 218 Upper Craighour, Edinburgh, EH17 7SH (“the Respondent”)

Tribunal Members:

Mark Thorley (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

The applicant applied to the Tribunal under Rule 111 for an order for payment. Accompanying the application was the following:-

Lease Agreement
Letter for rent arrears
Letter for demand
Letter before action

The case called initially at a case management discussion on 17 June 2019.

At that time the case management discussion was continued to allow for a revised sum of arrears to be introduced.

A further application was in fact made and dated 5 July 2019 in the sum of £6,650 being rent outstanding up until July 2019

There was due to be a case management discussion on 16 July 2019 which was subsequently postponed. A further case management discussion was fixed for 3 September 2019. This was also postponed to allow effectively "both cases" to call together.

Case Management Discussion

At the case management discussion Mr Hazelton solicitor appeared on behalf of the applicant. The respondent did not appear nor was she represented.

Intimation of an application to increase the sum of rent payable was made by the applicant on 8 October 2019 to the applicant. The sum now sought was £9500 representing 10 months of unpaid rent

Findings in Fact

- 1 The parties entered into a Private Rented Tenancy Agreement with a commencement date of 7 December 2018.**
- 2. Rent was due to be paid at the rate of £950 per calendar month payable in advance.**
- 3. The applicant had paid the deposit and rental in advance in December 2018 and had paid nothing further.**
- 4 The applicant was due the sum of £9500**

Reasons for Decision

The paperwork was all in order. The applicants solicitor confirmed that aside from the payments made in December 2018 the respondent had not paid any rent. The respondent was due 10 months rent.

The respondent did not attend nor had she made any written representations.

Decision

To grant an order for payment of £9500.

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.

Mark Thorley

Legal Member/Chair

Date

29 October 2019