



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/19/1037

Re: Property at 34 Gardners Crescent, Edinburgh, EH3 8DF (“the Property”)

Parties:

**Professor Yuhong Wong, c/o D J Alexander Lettings Limited, 1 Wemyss Place,
Edinburgh, EH3 6DH (“the Applicant”)**

**Mr Christopher Batten, Mr Grayson Fox, Apartment 55, 18 Church Street,
Manchester, M4 1PN; Flat 4 The Point, Park Parade, Ashton-Under-Lyne,
Lancashire, OL6 6SQ (“the Respondent”)**

Tribunal Members:

Mark Thorley (Legal Member)

Decision in absence of the Respondent Mr Grayson Fox

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the Respondents pay to the Applicant the sum of
£2242.96.**

Background

**The Applicant applied to the First Tier Tribunal under Rule 70. The Application
was accompanied by the lease agreement, statement of arrears and letter of
authority .**

Proceeding were served on the Respondents by advertisement.

**The Applicant set out that following upon a lease of the property at 34
Gardners Crescent in Edinburgh that the Respondents were due to pay the
sum of £2242.73.**

It was further reported that the figure initially agreed to be repaid by the Respondents was £2374.90 but one payment of an agreed monthly instalment had been paid in the sum of £131.94 leaving the balance of £2242.96

Case Management Discussion

At the hearing Ms Cartwright from the letting agents D J Alexander appeared for the Applicant in person. Mr Batten the first named Respondent attended by way of conference call.

There was no appearance by the second named Respondent Mr Fox but service by advertisement had taken place.

At the hearing Mr Batten accepted the sum was due . No offer of a time to pay was accepted and an order was thereafter granted. The Applicant did not insist on the interest clause.

Findings in Fact

1 The Respondents rented the property from the Applicant.

Following upon the end of the tenancy a sum is due to be paid by the Respondents to the Applicant of £2242.96

Reasons for Decision

Both the Applicant and First Named Respondent accepted the figure that was to be repaid. There was no appearance for the Second Named Respondent.

No time to pay was ultimately offered by the First Named Respondent

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

16 July 2019