



**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 (Act)**

Chamber Ref: FTS/HPC/CV/19/3987

**Re: Property at 7 (2F2) Gladstone Terrace, Edinburgh, EH9 1LU (“the
Property”)**

Parties:

**Mrs Soek Wai Wong, 178 Whitehouse Road, Edinburgh, EH4 6DB (“the
Applicant”)**

**Miss Ina Hanisch, 7 (2F2) Gladstone Terrace, Edinburgh, EH9 1LU (“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 order for payment in the sum of £4,680 be
granted.**

Background

**This is an application for payment in respect of rental arrears under section 16 of the
Act and Rule 70 of the Tribunal Procedure Rules.**

The Tribunal had regard to the following documents:

- 1. Application received 17 December 2019;**
- 2. Short Assured Tenancy (SAT) commencing 1 February 2017.**

Case Management Discussion (CMD)

The case called for a CMD on 21 February 2020. The Applicant did not appear but was represented by her solicitor. The Respondent did not appear and was not represented.

The Tribunal was satisfied that the Respondent had been served with notification of the CMD by Sheriff Officers under reference to their Certificate of Service. The Respondent was aware that the CMD could proceed in her absence and that the Tribunal could determine the matter if satisfied that it had sufficient information to do so and the procedure was fair.

The Applicant's position was that the Tribunal should grant the order sought.

The Tribunal considered the documents and what had been said. The Tribunal made the following findings in fact:

1. The Parties entered in to the SAT commencing 1 February 2017;
2. As at the date of the application the Respondent was in arrears of rent in the sum of £4,680;
3. The monthly rent was £780;
4. As at the CMD the Respondent was in arrears in the sum of £6,240.

The Tribunal considered that it had sufficient information to make a decision at this stage and that the procedure was fair. The Respondent was due the Applicant £4,680 in respect of rental arrears as at the date of the application and had notice of that amount.

The Tribunal granted the order for payment of the arrears due at the date of raising the application.

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.

Alan Strain

Legal Member/Chair

21 February 2020

Date