



**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/19/3763

Re: Property at 7/4 Allanfield, Edinburgh, EH7 5YH (“the Property”)

Parties:

Mr Yiu Cheong Poon, 13 Daiches Brae, Edinburgh, EH15 2RD (“the Applicant”)

Miss Stephanie Watson, 7/4 Allanfield, Edinburgh, EH7 5YH (“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 an order for payment by the respondent to the applicant of the sum of £4800 together with interest at the rate of 4% per annum from the date of the order

1. The applicant applied on 21 November 2019 under Rule 111 to obtain an order of payment in the sum of £4,800. Accompanying the application was a copy of the Short Assured Tenancy Agreement dated 23 August 2018 for the property at 7/4 Allanfield, Edinburgh EH7 5YH. Various other documentation was lodged confirming payments made by the respondent and the arrears of rent.
2. It appeared that the respondent had vacated the property with effect from 8 January 2020.
3. An application was made to increase the sum requested by way of email dated 20 January 2020. The respondent has no current address and this had not been intimated to the respondent.

M Thorley

Case Management Discussion

1. At the case management discussion Darren Thomson of Davidson Chalmers Stewart appeared on behalf of the applicant. There was no appearance by or for the respondent. The respondent had been served by sheriff officers with papers in advance of her leaving the tenancy.

Findings in Fact

1. The parties entered into a Short Assured Tenancy for the property at 7/4 Allanfield, Edinburgh EH7 5YH by agreement dated 23 August 2018.
2. Rent was due to be paid at the rate of £800 per calendar month.
3. As at the date of the application the sum of £4,800 of rent was outstanding.

Reasons for decision

1. The paperwork was in order. There was documentary evidence showing the arrears of rent. The applicant's solicitor spoke to that. The respondent did not attend or provide any written representations.
2. The evidence contained within the documents and also as submitted by the applicant's solicitor was accepted.

Decision

To make an order for payment by the respondent to the applicant in the sum of £4,800 together with interest at the rate of 4% 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.

M Thorley

Legal Member/Chair

27th January 2020

Date