

Housing and Property Chamber
First-tier Tribunal for Scotland



**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/18/0251

Re: Property at 2 (1F4) Lorne Place, Edinburgh, EH6 8QT ("the Property")

Parties:

Places for People Scotland, 1 Hay Avenue, Edinburgh, EH16 4RW ("the Applicant")

Mr Ross McEwan, 2 (1F4) Lorne Place, Edinburgh, EH6 8QT ("the Respondent")

Tribunal Members:

Fiona Watson (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that an Order should be granted in favour of the Applicants for payment in the sum of ONE THOUSAND NINE HUNDRED AND FORTY POUNDS (£1940) STERLING against the Respondent.

- **Background**

An application was submitted by the Applicants under Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Rules of Procedure) Amendment Regulations 2017 dated 29 January 2018.

- **Case Management Discussion**

A Case Management Discussion took place on 24 April 2018. Neil Mathieson of TC Young LLP appeared on behalf of the Applicants, and the Respondent appeared personally.

The Applicants moved their application and sought an order for payment in the sum of £1940 against the Respondent. The Tribunal was advised that the current level of rent arrears due by the Respondent stood at £4,277.50. The Applicants advised that they had obtained an order for payment against the Respondent at Edinburgh Sheriff Court on 11 December 2017 in the sum of £2387.50.

The Respondent agreed that the arrears were currently £4,277.50 and that he had paid nothing to the Applicants towards his rent since a payment of £500 on 25 November 2017. He confirmed that the sum of £1940 sought by the Applicants was due. He did not present any defence to the Tribunal other than to submit that he had made some attempts in the past to enter into a payment arrangement, which he submitted had been refused by the Applicants.

- Findings in Fact

The arrears due by the Respondent to the Applicants at the date of the Case Management Discussion were £4,277.50.

The Applicants had obtained an order for payment against the Respondent at Edinburgh Sheriff Court on 11 December 2017 in the sum of £2387.50

- Reasons for Decision

The Respondent put forward no defence to the Application. The Respondent agreed that the sum of £1940 remained due, over and above the sum already dealt with under the court order previously granted against him in favour of the Applicants.

- Decision

The Tribunal granted an order in favour of the Applicants for payment by the Respondent in the sum of ONE THOUSAND NINE HUNDRED AND FORTY POUNDS (£1940) STERLING under section 16 of the Housing (Scotland) Act 2014.

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.

F Watson

Legal Member/Chair

24/4/18
Date