

**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 (act)**

**Chamber Ref: FTS/HPC/CV/18/0429**

**Re: Property at 9/1 Lochend Park View, Edinburgh, EH7 5FD (“the Property”)**

**Parties:**

**Northern Housing Company Limited, 1 Explorer Road, Dundee, DD2 1EG (“the Applicant”)**

**Mr Mark Rintoul, 16/2 Argyle Crescent, Edinburgh, EH15 2QG (“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 £4,288.96 be granted.**

**Background**

This is an application for payment in respect of rent arrears arising from a tenancy agreement in terms of section 16 of the Act and Rule 70 of the Procedure Rules.

The Tribunal had regard to the following documents:

1. Application received 15 February 2018;
2. Tenancy Agreement between the Parties;
3. Statement of Rent Arrears.

**Case Management Discussion (CMD)**

The case called for a CMD on 6 March 2019. The Applicant was represented. The Respondent did not appear and was not represented. The Tribunal were satisfied

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that notification of the CMD had been served upon the Respondent by Sheriff Officer by virtue of certificate of service dated 19 February 2019.

The Tribunal were accordingly satisfied that it was fair and appropriate to proceed in the absence of the Respondent.

After hearing from the Applicant's agent the Tribunal were satisfied that it had sufficient information upon which to make a Decision and that it was fair to do so.

The Tribunal found the following facts established:

1. The Parties entered in to a Tenancy Agreement in respect of the Property;
2. The monthly rent was £577.68;
3. The amount of rent arrears as at 13 February 2018 was £4,288.96.

The Tribunal determined that an order for payment in the amount of £4,288.96 be granted.

### **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**

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**Legal Member/Chair**

*6 March 2019*

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**Date**