



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies)(Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/19/0704**

**Re: Property at 4/1 Sandilands, Edinburgh, EH16 4HS (“the Property”)**

**Parties:**

**Manor Estates Associates, 11 Washington Lane, Edinburgh, EH11 2HA (“the Applicant”)**

**Mr Darren Brock, 4/1 Sandilands, Edinburgh, EH16 4HS (“the Respondent”)**

**Tribunal Members:**

**John McHugh (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 £4179 should be made.**

**Background**

The Applicant is the landlord and the Respondent the tenant under a Private Residential Tenancy Agreement in respect of the Property dated 10 October 2018. The Applicant seeks an order for payment in respect of rent arrears.

**The Case Management Discussion**

A Case Management Discussion took place on 24 June 2019 at George House, Edinburgh. The Applicant was represented by Kirsty Morrison and also present was the Applicant’s Karen Treger. The Respondent was neither present nor represented. Miss Morrison advised that the Respondent had left the Property and his whereabouts were unknown. The Applicant is insisting upon its Application.

## **Findings in Fact**

The Applicant is the landlord and the Respondent the tenant under a Private Residential Tenancy Agreement in respect of the Property dated 10 October 2018.

The Applicant began his occupation of the Property on 10 October 2018 and appears to have recently vacated the Property.

Rent is due under the Tenancy Agreement at the rate of £597 per month, payable on the 1<sup>st</sup> of each month.

The Respondent has failed to pay the rent due on the first day of each month from November 2018 to May 2019, totalling £4179.

At the time of submission of the Application rent of £2388 was outstanding.

The Applicant has advised the Respondent by letter dated 15 April 2019 that it would apply to amend the sum sought to £4179.

## **Reasons for Decision**

The Respondent is in rent arrears in respect of the sum of £4179, being the rent due on the first of each of 1 November 2018 to 1 May 2019. The Applicant has intimated an amendment of the sum sought in the Application to the sum of £4179 and the Tribunal considers it appropriate to allow the amendment.

## **Decision**

An order for payment by the Respondent to the Applicant of the sum of £4179 should be made.

## **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.**

J McHugh

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**Legal Member/Chair**

24 June 2019

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**Date**