

**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51(1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/EV/19/0837**

**Re: Property at 83 Pilton Avenue, Edinburgh, EH5 2HR (“the Property”)**

**Parties:**

**Mrs Anouska Barry, 30/11 Brighthouse Park Cross, Edinburgh, EH4 6GU (“the Applicant”)**

**Miss Natasha Buckley, 83 Pilton Avenue, Edinburgh, EH5 2HR (“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 possession of the property be made.**

**This is an application to recover possession of a property at 83 Pilton Avenue, Edinburgh EH5 2HR. The grounds for recovery are of three consecutive months of arrears of rent . The appropriate notices have been given for the tenant to remove. A copy of the Tenancy Agreement together also with rent statement was lodged along with certain text messages between the parties.**

**At the hearing the applicant appeared on her own behalf. There was no appearance by or for the tenant.**

**Rent was due to be paid at the rate of £1,100 per month. The last payment made was in December 2018 of £200. At the time of the application £3,100 was due. Subsequently the amount now outstanding is £6589.01**

**Findings in Fact**

- 1. The tenancy was constituted by way of agreement entered into between the parties on 6 August 2018.**
- 2. Rental payments were due at the rate of £1,100 per month.**
- 3. That more than three consecutive months of rent arrears are due.**

4. That the respondent had received notice of the proceedings.

#### Decision

The Tribunal makes an order for possession of the property.

#### 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**

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Legal Member/Chair

6<sup>th</sup> June 2019.  
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Date