



**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/21/0965

Re: Property at 49/6 West Mill Road, Edinburgh, EH13 0NZ (“the Property”)

Parties:

**Mr Charles Fairfield, Mrs Susan Fairfield, PO Box U103, Charles Darwin
University LPO, Darwin, NT 0815, Australia (“the Applicants”)**

**Mr Murray Crowson, 49/6 West Mill Road, Edinburgh, EH13 0NZ (“the
Respondent”)**

Tribunal Members:

Andrew Upton (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the Respondent is liable to make payment to the
Applicants in the sum of NINE THOUSAND TWO HUNDRED POUNDS (£9,200.00)
STERLING**

STATEMENT OF REASONS

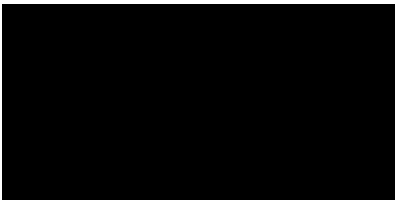
1. This Application called for its Case Management Discussion by teleconference call on 29 June 2021. The Applicant was represented by Miss Greeney of DJ Alexander Lettings Ltd. The Respondent was neither present nor represented at the CMD.
2. In the Application, the Applicants seek payment from the Respondents in respect of alleged rent arrears. The Application provides that the sum due for the period October 2020 to April 2021 is £6,700. By email dated 15 June 2021, the Applicant’s representative provided an updated rent schedule showing that the sum outstanding as at that date had increased to £8,900. This schedule was issued to the Respondent. Miss Greeney confirmed that

the Applicants were seeking payment of the increased sum. The Application also sought to recover £300 of legal costs under clause 37a of the Tenancy Agreement.

3. The Respondent has received service of the Application and supporting papers, including the update rent schedule. He has been afforded an opportunity to object to the allegations of non-payment levied against him and has chosen not to do so, either by lodging written representations or by appearing at the CMD. Accordingly, I am satisfied that the Respondent has chosen not to dispute the allegations made by the Applicants in the Application and supporting papers.
4. I was invited to amend the Application to increase the sum claimed for rent arrears from £6,700 to £8,900. I was satisfied that the Respondent had received sufficient notice of the proposed increase in terms of Rule 14A of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure. I accordingly granted the amendment.
5. Thereafter, I was invited to grant an order for payment of £9,200, being the aggregate of the rent arrears and the legal cost due under clause 37a of the Tenancy Agreement. I was satisfied that the Respondent did not dispute that those sums were due. In terms of Rule 17(4) of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure, the Tribunal may do anything at a CMD that it may do at a Hearing, including make a decision. Accordingly, I was satisfied that the Respondent is liable to make payment to the Applicants in the total sum of £9,200, and I granted an order for payment in that sum.

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.



Legal Member/Chair

29th June 2021

Date