



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/21/1400**

**Re: Property at 148/8 Albert Street, Edinburgh, EH7 5LT (“the Property”)**

**Parties:**

**Christopher Gladden, Rowena Roche, 215 Braid Road, Edinburgh, EH10 6NY (“the Applicants”)**

**Mr Scott Cook, 148/8 Albert Street, Edinburgh, EH7 5LT (“the Respondent”)**

**Tribunal Members:**

**Alastair Houston (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 of £2310.85 be made in favour of the Applicant.**

**1. Background**

- 1.1 This is an application under Rule 111 of the Chamber Rules. The Applicants were seeking payment of the sum of £2426.00 comprising of unpaid rent due under the tenancy agreement between the parties.
- 1.2 The application was accompanied by copies of the written tenancy agreement between the parties, a rent statement and email and text message correspondence between the parties.

**2. The Case Management Discussion**

- 2.1 The Case Management Discussion took place on 19 August 2021 by teleconference. The Applicants attended personally. The Second Named Applicant spoke on behalf of both. The Respondent was not present nor was he represented.

- 2.2 The Tribunal noted that intimation of the Case Management Discussion had been made to the Respondent by Sheriff Officer. Accordingly, the Tribunal considered the requirements of Rule 29 of the Chamber Rules to be satisfied and elected to proceed in the Respondent's absence.
- 2.3 The Second Named Respondent confirmed that the amount sought represented rent arrears that had accrued during February to June 2021. A previous order for payment of rent arrears had been granted against the Respondent. The rent due under the tenancy agreement was £650.00 per calendar month. No payment had been received in February or March. From April onwards, £412.00 was received directly from the Department of Work & Pensions each month. Such a payment had been received in June after the application had been lodged. Further arrears had accrued in July 2021, with a total of £453.15 received from the Department of Work & Pensions against the £650.00 due in rent under the agreement. As of the end of July 2021, £2310.85 was outstanding and an order in that sum was sought. The Applicants anticipated the need for a further application in respect of any arrears that accrue from August 2021 onwards.

### **3. Reasons For Decision**

- 3.1 The tenancy agreement between the parties clearly stated that the rent due was £650.00 per calendar month. The rent statement and submissions by the Applicants were clear as to the rent arrears that had accrued.
- 3.2 In the absence of any representations by the Respondent to the contrary, the sum of £2310.85 is due and owing to the Applicants.

### **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.**

**A. H**

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**Legal Member/Chair**

19 August 2021

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**Date**