



**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/22/4136**

**Re: Property at 27 Poplar Street, Dalkeith, EH22 5LW (“the Property”)**

**Parties:**

**Mr Artur Czochra, Mrs Beata Czochra, 23/1 Stenhouse Gardens North,  
Edinburgh, EH11 3EN (“the Applicant”)**

**Mr Michal Geisler, Mrs Ewa Geisler, 27 Poplar Street, Dalkeith, EH22 5LW; 27  
Poplar Street, Dalkeith, EH22 5LW (“the Respondents”)**

**Tribunal Members:**

**Alison Kelly (Legal Member)**

**Decision (in absence of the Respondents)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order for payment should be granted.**

**Background**

The Applicant lodged an application on the 16<sup>th</sup> November 2022 under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of rent arrears.

Lodged with the application were:

1. Tenancy Agreement showing a commencement date of 1<sup>st</sup> September 2018 and a rent of £750 per month;
2. Rent Statement

**Case Management Discussion**

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was represented by of Miss Pienkowska of Prima Property North Ltd. The Respondent did not appear and was not represented.

The Chairperson explained the purpose of a CMD in terms of Rule 17 of the Tribunal's Rules.

Miss Pienkowska moved for a payment order in the amount of £7400. She said that the Respondents had vacated the property on 22<sup>nd</sup> November 2022, leaving that balance outstanding. She said that the Respondents had not paid a deposit when they took entry.

### **Findings In Fact**

1. The parties entered in to a tenancy agreement for the property;
2. The monthly rent was £750;
3. The tenancy came to an end on 22<sup>nd</sup> November 2022;
4. No deposit was paid by the Respondents;
5. The arrears at the date the tenancy came to an end were £7400;

### **Reasons For Decision**

The arrears at the end of the tenancy are £7400.

### **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.**

**Alison Kelly**

27<sup>TH</sup> July 2023

---

**Legal Member/Chair**

---

**Date**