



**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/22/4167**

**Re: Property at 199 Wester Drylaw Drive, Edinburgh, EH4 2TA (“the Property”)**

**Parties:**

**Mr Luke Barnes, South View, Ormiston Hall, Ormiston, EH35 5NJ (“the Applicant”)**

**Mr Jonathan McCormack, UNKNOWN, UNKNOWN (“the Respondent”)**

**Tribunal Members:**

**Alison Kelly (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 in the amount of £2700 should be made.**

**Background**

The Applicant lodged an application on 18<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 a sum of rent arrears of £2700.

Lodged with the Application were:

1. Copy Tenancy Agreement commencing 31<sup>st</sup> January 2022 with a rent of £1000 per month
2. Text messages between the parties
3. Rent Statement showing a balance of £2700 due at the end date of the tenancy which was 6<sup>th</sup> November 2022

The Application could not be served on the Respondent by Sheriff Officer and was accordingly served by Advertisement on the Tribunal’s website.

## **Case Management Discussion**

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant represented himself. The Respondent did not attend and was not represented.

The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.

The Applicant asked that an order be granted for payment in the amount of £2700, being the sum due as shown on the rent statement.

## **Findings in Fact**

1. The parties entered in to a tenancy agreement for rent of the property;
2. The monthly rent was £1000;
3. The tenancy ended on 6<sup>th</sup> November 2022;
4. On 6<sup>th</sup> November 2022 the rent arrears owed were £2700.

## **Reasons for Decision**

The Respondent owes rent to the Applicant in the amount of £2700.

## **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

11 May 2023

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**Legal Member/Chair**

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**Date**