



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/CV/23/2086

Re: Property at 102 Morvenside, Edinburgh, EH14 2SQ (“the Property”)

Parties:

Mr Saurav Sthapit, Anita Khadka, 21 Eastwood Grove, Rugby, CV21 4DP (“the Applicants”)

Myra Hunter, Mr Robert Hunter, 102 Morvenside, Edinburgh, EH14 2SQ (“the Respondents”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made a Payment Order in the sum of £6,013.57 with interest on that sum at the rate of 8 per cent from today’s date until payment.

Background

[1] The Applicants seek a Payment Order for rent arrears said to be lawfully due but unpaid under a tenancy between the parties. The Application is accompanied by a copy of the tenancy agreement and rent statements.

The Case Management Discussion

[2] The Application called for a Case Management Discussion (CMD) by conference call at 2 pm on 19 September 2023. The Applicants were represented by Mr Gray of Gilson Gray Solicitors. There was no appearance by or on behalf of the Respondents. The Application and information about how to join the conference call had been served on the Respondents by Sheriff Officers and so the Tribunal decided to proceed in their absence. Having heard from Mr Gray and having considered the documentation before it, the Tribunal made the following findings in fact.

Findings in Fact

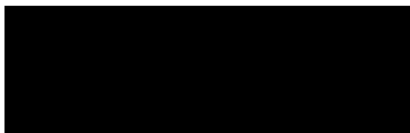
- I. *The parties entered into a tenancy agreement whereby the Applicants let the Property to the Respondents by virtue of a Private Residential Tenancy;*
- II. *The Respondents fell into rent arrears and the sum of £6,013.57 is lawfully due as rent arrears to the Applicants by the Respondents but remains unpaid.*

Decision

[3] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in the sum of £6,013.57 with interest on that sum at the rate of 8 per cent from today's date until payment.

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

19 September 2023