



**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/21/2229**

**Re: Property at Cramond Brig Farmhouse South, Cramond, EH4 6DX (“the  
Property”)**

**Parties:**

**The Earl's Partnership, Dalmeny Estate Office, Dalmeny House, South  
Queensferry, EH30 9TQ (“the Applicant”)**

**Miss Jane Erica Mawdsley, Cramond Brig Farmhouse South, Cramond, EH4  
6DX (“the Respondent”)**

**Tribunal Members:**

**Alison Kelly (Legal Member) and Gordon Laurie (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that**

On 14<sup>th</sup> September 2021 the Applicant lodged an application under Rule 70 of the  
First Tier Tribunal for Scotland Housing and Property Chamber (Procedure)  
Regulations 2017 (“the Rules”), seeking payment of arrears of rent in the amount of  
£39,400.

Lodged with the application were:-

1. The Tenancy Agreement showing a start date of 26<sup>th</sup> January 2016 and rent  
due of £1500 per month;
2. Rent Statement;
3. AT5
4. Letter dated 8<sup>th</sup> January 2020 confirming the rent had risen to £1800 pcm with  
effect from 1<sup>st</sup> March 2020.

On 11<sup>th</sup> November 2021 the application and Notice of Case Management Discussion were served on the Respondent by Sheriff Officer.

### **Case Management Discussion**

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was represented by Mr Bauchop of Turcan Connell, Solicitors.. The Respondent represented herself.

The Tribunal explained the purposes of a CMD in terms of Rule 17 of the Rules.

Mr Bauchop told the Tribunal that he was seeking a payment order in the amount of £39,400, being the sum due at the time the Application was made. He reserved the right to return to the tribunal to seek an order for payment of the arrears due after that date.

The Respondent said that she agreed that she owed £39,400 at the date the Application was raised.

### **Findings in Fact**

1. The parties entered into a Tenancy Agreement in respect of the property;
2. The Tenancy Agreement had a commencement date of 26<sup>th</sup> January 2016;
3. The arrears when the Application was made were £39,400.

### **Reasons for Decision**

The Respondent, at the date of the application, was in arrears of £39,400.

### **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 J Kelly**

**16<sup>th</sup> December 2021**

**Legal Member/Chair**

**Date**