



**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/EV/22/0769

**Property:** 11/6 High Riggs, Tollcross, Edinburgh EH3 9BW (“the Property”)

**Parties:** Mr Raymund Johnstone, 40 (1F2) Warrender Park Terrace, Edinburgh EH9 1EB (“the Applicant”)

Mr Simon Tims, 11/6 High Riggs, Tollcross, Edinburgh EH3 9BW (“the Respondent”)

**Tribunal Members:**

Mark Thorley (Legal Member)  
Angus Lamont (Ordinary Member)

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

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

**Background**

1. The applicant applied to the tribunal by way of application dated 16 March 2022. Accompanying the application were a Short Assured Tenancy dated 10 July 2014, Private Residential Tenancy Agreement dated 25 July 2019, Notice to Leave dated 27 August 2021 and proof of sheriff officers service, Rent Statement dated 1 March 2022, Section 11 Notice and email to Edinburgh City Council, correspondence to respondent dated 9 August 2021 and 23 August 2021.
2. The application was acknowledged by the tribunal on 17 March 2022.
3. The application was accepted by the tribunal on 4 April 2022. The application was served by sheriff officers on the respondent on 16 May 2022.

**Findings in Fact**

4. The parties entered into a Tenancy Agreement on 1 July 2019 in respect of the property at 11/6 High Riggs, Tollcross, Edinburgh EH3 9BW.
5. The respondent is currently due £11,900 of rent.

6. No rent has been paid since May 2021.
7. The respondent is in arrears of rent significantly in excess of one month's rent and has been in arrears of rent for more than three consecutive months.

**Reasons for decision**

8. The respondent did not attend at the case management conference nor were any written representations made.
9. The applicant's paperwork was in order. Ms Woolley on behalf of the applicant spoke to the outstanding rent. The tribunal accepted that evidence.

**Decision**

10. To grant an eviction order.

**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.**

**Mark Thorley**

**Legal Member/Chair:**

**Date:** 17 June 2022