



**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/18/1533

**Re: Property at Flat 10, 3 Western Harbour View, Edinburgh, EH6 6PB (“the
Property”)**

Parties:

Mr Ian Robertson, Barmuchity House, Elgin, Moray, IV30 8QW (“the Applicant”)

**Miss Bakthawar Heer Jamali, Flat 10, 3 Western Harbour View, Edinburgh, EH6
6PB (“the Respondent”)**

Tribunal Members:

John McHugh (Legal Member) and Frances Wood (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 payment of the sum of £2470 by the
Respondent to the Applicant should be made.**

A hearing took place at George House, Edinburgh on 11 September 2018. The Applicant was represented by Ms Swanson, solicitor of TC Young. The Respondent was neither present nor represented.

Findings in Fact

The Applicant is the owner of the Property.

The Applicant and the Respondent entered into a short assured tenancy of the Property dated 23 May 2015.

The Respondent commenced occupation on 3 June 2015.

The rent payable was £710 per month.

At the time of raising this application three months' rent in the sum of £2470 was outstanding.

Reasons for Decision

The Applicant's representative advised the Tribunal that no payments had been made by the Respondent since the Application was made and that rent arrears had now increased to £4600 although, quite properly, the Applicant sought only an order for the sum claimed in the Application of the sum of £2470. The Tribunal became aware after the date of the hearing that an email had been sent by the Respondent to the office of the Tribunal the day before the hearing in which the Respondent advised that she sought a continuation of the hearing for one week to enable her to raise funds to settle the balance outstanding. We considered this request but resolved that a continuation could only be granted in circumstances where such a continuation was necessary and we do not consider that that is the case in this instance.

Decision

We decide that an order for payment by the Respondent to the Applicant of the sum of £2470 should be made.

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.

John McHugh

John McHugh, Legal Member/Chair

24/9/18

Date