



**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/19/3481**

**Re: Property at 23 Flat 5, Roseburn Maltings, Edinburgh, EH12 5LL (“the  
Property”)**

**Parties:**

**Mr John Leiper, Mrs Kally Leiper, 7 Havens Edge, Limekilns, Dunfermline,  
KY11 3LY; 7 Havens Edge, Limekilns, Dunfermline, KY11 3LJ (“the  
Applicant”)**

**Miss Louise Hanscombe, 23 Flat 5, Roseburn Maltings, Edinburgh, EH12 5LL  
 (“the Respondent”)**

**Tribunal Members:**

**George Clark (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the application should be decided without a  
Hearing and made an Order for Payment by the Respondent to the Applicant of  
the sum of £5,620.**

**Background**

By application, received by the Tribunal on 30 October 2019, the Applicant sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent to the Applicant. The sum sought was £5,620.

The application was accompanied by copies of a Private Residential Tenancy Agreement between the Parties commencing on 12 April 2019 at a monthly rent of £1,100 and a Rent Statement showing arrears as at 30 October 2019 of £5,620.

On 27 December 2019, the Tribunal advised the Parties of the date, time and venue for a Case Management Discussion and the Respondent was invited to make written representations by 17 January 2020. The Respondent did not make any written representations to the Tribunal.

### **Case Management Discussion**

A Case Management Discussion was held at Riverside House, Gorgie Road,, Edinburgh on the morning of 29 January 2020. The Applicant was represented by Catriona Smith and Malcolm Brown of Arden Property Management LLP, Edinburgh. The Respondent was not present or represented. The Applicant's representatives advised that the arrears remained outstanding asked the Tribunal to make an Order for Payment without a Hearing.

### **Reasons for Decision**

Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it all the information and documentation it required to enable it to decide the application without a Hearing. The Tribunal was satisfied that the amount sought in the application had become lawfully due by the Respondent to the Applicant.

### **Decision**

The Tribunal determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £5,620.

### **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.**

G.Clark

Legal Member/Chair

\_\_\_\_\_ 29 January 2020  
Date