



**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/18/0800**

**Re: Property at 17 Cameron March, Edinburgh, EH16 5XG (“the Property”)**

**Parties:**

**Royal College of Surgeons, Nicolson Street, Edinburgh, EH8 9DW (“the Applicant”)**

**Ms Kirstie Murray, 17 Cameron March, Edinburgh, EH16 5XG (“the Respondent”)**

**Tribunal Members:**

**Anne Mathie (Legal 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 rent arrears in the sum of £5200 should be made**

- **Background**

This is a civil case for a payment order for rent arrears due under the relevant tenancy agreement of the property known as 17 Cameron March, Edinburgh in the sum of £5200 in terms of section 16 of the Housing (Scotland) Act 2014. Documents lodged with the Tribunal were the Tenancy Agreement, The Tenant Information Pack and Rent Statement.

The Tribunal fixed a Case Management Discussion and this was intimated to parties. The respondent was served notice by Sheriff Officers on 21 May 2018 of the Case Management Discussion and was told that written representations required to be made by 7 June 2018. No responses have been received. The respondent was also told that she required to attend the Case Management Discussion today and was informed that the Tribunal could

make a decision today if the Tribunal had sufficient information and considers the procedure to have been fair.

- **The Hearing/Case Management Discussion**  
The hearing took place in the absence of the respondent. In attendance was Scott Runciman, solicitor, on behalf of the applicant. No further payments of rent had been received since application made. The arrears now amounted to £6500 but in absence of respondent Mr Runciman made a motion for the sum stated on the application namely £5200. The Tribunal would not award expenses in this case or interest.
- **Findings in Fact**  
The respondent was due to pay rent in terms of her tenancy agreement and had failed or at least delayed to do so. The rent was stated to be £1300 per calendar month. The last payment made by the respondent was in November 2017.

The applicant is entitled to the order sought for payment of rent arrears in the sum of £5200.

- **Reasons for Decision**  
The Tribunal proceeded on the basis of the written documents before it as detailed above and representations from the applicant's solicitor. There was nothing before the Tribunal challenging or disputing any of the evidence before it.
- **Decision**  
The applicant was entitled to an order for payment for rent arrears in the sum of £5200.

## **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.**

**Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.**

**Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.**

A Mathie

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**Legal Member/Chair**

22 June 2018  
**Date**