



**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/22/2235

Re: Property at 93 Woodburn Road, Dalkeith, EH22 2BQ (“the Property”)

Parties:

**Robert P Slight & Sons Limited, Unit B Wallyford Industrial Estate, Wallyford,
EH21 8QJ (“the Applicant”)**

**Mr Scott Ramsay and Michelle McGivern, both 93 Woodburn Road, Dalkeith,
EH22 2BQ (“the Respondents”)**

Tribunal Members:

George Clark (Legal Member) and Ahsan Khan (Ordinary Member)

Decision (in absence of the Respondents)

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 Respondents to the Applicants of the sum of £8,498.

Background

By application, received by the Tribunal on 7 July 2022, the Applicant sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondents to the Applicant. The sum sought was £4,598.

The application was accompanied by copies of a Private Residential Tenancy Agreement between the Parties commencing on 10 October 2020 at a rent of £975 per month and a Rent Statement showing arrears as at 10 June 2022 of £6,548.

On 23 July 2022, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondents were invited to make written representations by 13 August 2022. The Respondents did not make any written representations to the Tribunal.

On 11 August 2022, the Applicant's agents provided the Tribunal with an updated Rent Statement showing arrears as at 10 August 2022 of £8,498 and sought leave to amend the application to increase the amount sought.

Case Management Discussion

A Case Management Discussion was held by means of a telephone conference call on the morning of 23 August 2022. The Applicant was represented by Ms Jacqui Ridley of Blacklocks solicitors, Edinburgh. The Respondents were not present or represented. Ms Ridley told the Tribunal that no rent had been paid since January 2022.

Reasons for Decision

Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 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 decide the application without a Hearing.

The Tribunal was satisfied that the amount sought in the application, as amended following receipt of the updated Rent Statement, had become lawfully due by the Respondents to the Applicant.

Decision

The Tribunal for Scotland determined that the application should be decided without a Hearing and made an Order for Payment by the Respondents to the Applicants of the sum of £8,498.

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.

George Clark

Legal Member/Chair:

Date: 23/08/2022