



**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/18/0789**

**Re: Property at 13/8 Rothesay Terrace, Edinburgh, EH3 7RY (“the Property”)**

**Parties:**

**Ms Heather Miller, c/o, 4 Jamaica Street, Edinburgh, EH3 6HH (“the Applicant”)**

**Miss Natasha Hope, Mr William McIntyre, 13/8 Rothesay Terrace, Edinburgh, EH3 7RY (“the Respondent”)**

**Tribunal Members:**

**Mark Thorley (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that a payment order be granted against both Respondents jointly and severally for the sum of £6000.00 ( Six Thousand Pounds)**

**Background**

**By application dated 3 April 2018 the Applicant applied to the First-tier Tribunal for a payment order. The application was accompanied by a copy of the tenancy agreement dated 21 February 2017 : and a copy of a rent statement due to 24 March 2018.**

**Case Management Discussion**

**Ms Euphemia Mathieson , Solicitor, appeared on behalf of the Applicant. There was no appearance on behalf of the Respondent. Papers had been served on both Respondents by Sheriff Officer on 30 May 2018. Neither Respondent had submitted any response to the application.**

The Tribunal were advised that further sums of rent were now due and that no payment of rent had been made since the application was made. The sum now due was £9900.00 ( Nine Thousand Nine Hundred Pounds)

The Respondents had handed back to the letting agent a set of keys to the property and had notified the letting agents that they were vacating the property.

### Findings in Fact

1 The tenancy between the parties was constituted by the Tenancy Agreement dated 21 February 2017.

2 Rent arrears amounting to £6000.00 ( Six Thousand Pounds) had accrued by the date of the Notice served on the Respondents.

3 The Respondents had received all paperwork and the paperwork was in 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.

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.

M Thorley

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Legal Member/Chair

25 Jun 2018.  
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Date