



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/25/1329

Re: Property at 12 Afton Road, Fraserburgh, AB43 9PW (“the Property”)

Parties:

Mr Fraser Robertson, 31 Robbies Road, Fraserburgh, Aberdeenshire, AB43 7AF (“the Applicant”)

Miss Tonilei Grieve, 51A High Street, Fraserburgh, Aberdeenshire, AB43 9ET (“the Respondent”)

Tribunal Members:

Ms H Forbes (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 should be granted in favour of the Applicant in the sum of £1950.

Background

1. This is a Rule 111 application whereby the Applicant is seeking an order for payment in respect of outstanding rent arrears. The Applicant lodged a copy of a private residential tenancy agreement between the parties in respect of the Property, which tenancy commenced on 3rd November 2023 at a monthly rent of £600. The Applicant lodged a rent statement, bank statements and email communication between the parties.
2. Attempts to serve notification of a Case Management Discussion upon the Respondent by Sheriff Officer were unsuccessful.
3. By email dated 9th September 2025, the case papers were served on the Respondent by email.
4. A Case Management Discussion on 7th October 2025 was continued as there was no appearance by either party.

5. By email dated 6th February 2026, notification of a further Case Management Discussion was served upon the Respondent.

Case Management Discussion

6. A Case Management Discussion (“CMD”) took place by telephone conference on 19th March 2026. Both parties were in attendance.
7. The Applicant asked the Tribunal to grant an order for payment in the sum sought. The Applicant confirmed the tenancy ended on 10th February 2025.
8. The Respondent accepted the sum sought was due and said she wished to make payment by instalments. The Respondent said she was now getting back on her feet after a difficult time, and she now has support to help her address matters such as this. The Legal Member explained that an application for a Time to Pay Direction would have been required in order for the Tribunal to allow payment by instalments. It would be open to the Respondent to apply for a Time to Pay Order after a charge for payment has been served upon her. It is also open to the parties to come to an arrangement for payment by instalments. The Respondent agreed that an order for payment should be granted.

Findings in Fact and Law

9.
 - (i) Parties entered into a private residential tenancy agreement in respect of the Property which commenced on 3rd November 2023 at a monthly rent of £600, and ended on 10th February 2026.
 - (ii) Rent lawfully due has not been paid by the Respondent to the Applicant.
 - (iii) The Applicant is entitled to recover rent lawfully due.

Reasons for Decision

10. Rent lawfully due is outstanding. The Applicant is entitled to recover rent lawfully due.

Decision

11. An order for payment is granted in favour of the Applicant in the sum of £1950.

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.

Helen Forbes

Legal Member

19th March 2026
Date