



**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/25/4434**

**Re: Property at 58 Rowett South Drive, Bucksburn, Aberdeen, AB21 9GB (“the Property”)**

**Parties:**

**Places for People Scotland, 1 Hay Avenue, Edinburgh, EH16 4RW (“the Applicant”)**

**Mr Liam Buchan, 58 Rowett South Drive, Bucksburn, Aberdeen, AB21 9GB (“the Respondent”)**

**Tribunal Members:**

**Andrew Upton (Legal Member) and Mary Lyden (Ordinary Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent is liable to make payment to the Applicant in the sum of NINE THOUSAND ONE HUNDRED AND FIFTY-ONE POUNDS AND SIXTY PENCE (£9,151.60) STERLING together with interest thereon at the rate of 4% per annum from 24 April 2026 until payment.**

**Statement of Reasons**

1. This Application called for its Case Management Discussion by teleconference on 24 April 2026 together with the related application EV/25/4433. The Applicant was represented by Mr Caldwell, solicitor. The Respondent was neither present nor represented.
2. In this Application the Applicant seeks a payment order in respect of alleged rent arrears. By email dated 1 April 2026 the Applicant’s representative sought to amend the Application by increasing the sum sued for to £9,151.60. In terms of Rule 14A(1) of the First-tier Tribunal for Scotland Housing and

Property Chamber Rules of Procedure 2017 (“the Rules”): “*Where a new issue is not raised, a party may request to amend the application, including the sum claimed, by intimating the amendment to any other party and the First-tier Tribunal at least 14 days prior to a case management discussion or hearing*”. The Applicant’s proposed amendment was timeous and has not been objected to. The Tribunal therefore allowed the amendment. Mr Caldwell then invited the Tribunal to grant the payment order in the amended sum together with interest thereon at the rate of 4% per annum from the date of the CMD as claimed for.

3. The Tribunal raised a query regarding the designation of the Applicant, which was “Castle Rock Edinvar Housing Association Ltd in association with Places for People Scotland”, on the basis that a tenancy where the landlord is a registered social landlord within the definition given in section 165 of the Housing (Scotland) Act 2010 cannot be a private residential tenancy (Private Housing (Tenancies) (Scotland) Act 2016, s.1(1)(c) and Sch.1, para.14). Mr Caldwell confirmed that the designation of the Applicant was a drafting infelicity. He explained that the Property is owned by Castle Rock Edinvar Housing Association Ltd, which is a registered social landlord, but is made available to and let by Places for People Scotland on what is known as a mid-market rental basis. The landlord is Places for People Scotland, as the tenancy agreement provides. Mr Caldwell invited the Tribunal to amend the designation of the Applicant and, having been satisfied with that explanation, the Tribunal did so.
4. In terms of Rule 17(4) of the Rules, the Tribunal may do anything at a Case Management Discussion that it may do at a Hearing including make a Decision. In terms of Rule 2, the Tribunal must have regard to the overriding objective to deal with proceedings justly when making a decision, which includes the need to avoid unnecessary delay.
5. The Respondent has received notice of the application and has neither lodged written representations nor appeared at the CMD. In the circumstances, the Tribunal is satisfied that he does not contest that he is liable to pay the Applicant the sum claimed for. Accordingly, the Tribunal determined that the Respondent is liable to make payment to the Applicant in the sum of £9,151.60 together with interest thereon at the rate of 4% per annum from 24 April 2026 until payment.
6. The Tribunal’s determination was unanimous.

## **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.

Andrew Upton

24 April 2026

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Legal Member/Chair

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Date