



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

Chamber Ref: FTS/HPC/CV/25/0066

Property at Flat 3/1, 219 Byres Road, Glasgow, G12 8UD (“the Property”)

Parties:

Mr Michael McDougall, Mrs Sheila McDougall, Woodend, High Corton, Ayr, KA6 6BY (“the Applicant”)

Mr Lewis Abbot, 3/2, 960 Pollokshaws Rd, Glasgow, G41 2ET (“the Respondent”)

Tribunal Members:

Josephine Bonnar (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 the sum of £1823.54 should be granted against the Respondent in favour of the Applicant.

Background

1. The Applicant lodged an application for a payment order in relation to unpaid rent and utilities. A tenancy agreement and rent statement were lodged with the application.
2. A copy of the application was served on the Respondent by Sheriff Officer at the property on 29 August 2025 and the parties were notified that a case management discussion (“CMD”) would take place by telephone conference call on 16 October 2025. On 7 September 2025, the Applicant notified the Tribunal that the Respondent had vacated the property on 30 April 2025. On 24 September 2025, the Applicant withdrew the related application for an eviction order and requested service by advertisement as he had been unable to obtain

an address for the Respondent.

3. The CMD took place on 16 October 2025 at 10am. Mr McDougall participated. The Respondent did not participate. The application had not been served by advertisement prior to the CMD. The Legal Member noted that the application would require to be continued to a further CMD for service by advertisement. The Legal Member also noted that although directions had been issued for clarification of the claim and evidence to support the claim, the position remained unclear. Following discussion, it was noted that the application relates to unpaid rent, utilities and broadband. Although the tenancy agreement does not refer to the broadband or utilities these had been the subject of a separate agreement. The Applicant had lodged submissions and documents prior to the CMD and asked to amend the sum claimed to £1823.54. This request was granted. The Legal Member noted that the submissions also appeared to refer to new matters which were not the subject of the original application, such as Council Tax. Following discussion, the Applicant withdrew his request to add these new claims to the application.
4. On 17 October 2025, the Tribunal received an email from the Respondent. He said that he had received an email from the Applicant. He said that he had been unaware of the proceedings and wished to participate. He was notified that the CMD had been adjourned and asked to provide his current address. He responded with the address.
5. A further CMD was arranged for 16 February 2026. A copy of the application paperwork and the letter notifying the Respondent of the date and time of the CMD were served on the Respondent by Sheriff Officer at the new address provided. The Applicant requested a postponement. The Respondent was invited to give his views on the request but did not do so. The postponement was granted and the parties were notified by email that the CMD would take place on 22 April 2026 at 10am and that there were required to participate.
6. The CMD took place on 22 April 2026. Mr McDougall participated. The Respondent did not participate and was not represented. He did not contact the Tribunal before the CMD.

Summary of discussion at CMD

7. Mr Mc Dougall confirmed that the sum of £1823.54 is still outstanding and that no payments have been received from the Respondent.

Findings in Fact

8. The Applicant is the owner and landlord of the property.

9. The Respondent is a former tenant of the property. He vacated the property on 30 April 2025.
10. The Respondent agreed to pay rent to the Applicant and to pay for utilities and broadband at the property to the Applicant.
11. The Respondent owes the sum of £1823.54 in unpaid rent, utilities and broadband.

Reasons for the decision

12. Based on the documents lodged with the application and prior to the first CMD, and the information provided at both CMDs, the Legal Member is satisfied that the Respondent owes the sum of £1823.54 in unpaid rent and utilities and that the Applicant is entitled to a payment order for this sum.

Decision

13. The Tribunal determines that a payment order should be granted against the Respondent.

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.

Josephine Bonnar, Legal Member

26 April 2026