



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 (“the 2016 Act”)

Chamber Ref: FTS/HPC/CV/25/1896

Re: Property at Flat 15 Milldale Mews, 68-72 Auchmill Road, Buckburn, AB21 9LQ (“the Property”)

Parties:

Mrs Mary Ross, Birkwood Lodge, Delgaty, Turiff, AB53 5TD (“the Applicant”)

Miss Morounkeji Fawehinmi, Mr Yusuf Fawehinmi, Flat 15 Milldale Mews, 68-72 Auchmill Road, Buckburn, AB21 9LQ; Flat 15 Milldale Mews, 68-72 Auchmill Road, Bucksburn, AB21 9LQ (“the Respondent”)

Tribunal Members:

Craig Chisholm (Legal Member) and Melanie Booth (Ordinary Member)

Decision (in absence of Morounkeji Fawehinmi, Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order should be granted in the sum of Four Thousand Five Hundred and Fifty-Five Pounds and Fifty-Eight Pence (£4,555.58) Sterling.

Background

1. By application dated 4th June 2025, Mr Graeme Ross sought an order in terms of rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (procedure) Regulations 2017 (“the procedure rules”). The Application was amended on 28th August 2025 in that the Applicant, Mrs Mary Ross, sought an order in terms of rule 111 of the procedural rules.
2. On 11th November 2025 the application was accepted by the tribunal and referred for determination by the tribunal.

3. A Case Management Discussion (CMD) was set to take place on 1st May 2026, and appropriate intimation of that hearing was given to all parties.
4. The application was heard together with a conjoined application involving the same parties for an eviction order under Tribunal reference FTS/HPC/EV/25/2391.

The Case Management Discussion

5. The CMD took place on 1st May 2026 *via* telephone conference call. The Applicant was represented by Ms Card of Martin & Co Aberdeen. The Applicant had provided a letter to the Tribunal authorising Martin & Co Aberdeen to act as her legal representative. Mr Yusuf Fawehinmi was personally present. Morounkeji Fawehinmi was not present or represented at the CMD.
6. The tribunal explained the purpose of the CMD and the powers available to the tribunal to determine matters.
7. The tribunal asked various questions of the Applicant's representative and Mr Yusuf Fawehinmi with regards to the application.
8. The Applicant's representative confirmed that the Applicant wished for the order for payment to be made.
9. Mr Yusuf Fawehinmi confirmed he was not opposed to the granting of eviction and accepted there were arrears.

Findings in Fact

10. The Applicant is the registered owner of the Property.
11. The Applicant is the registered Landlord of the Property together with her husband, Mr Graeme Ross.
12. The Applicant's husband, Mr Graeme Ross and the Respondent are respectively the landlord and tenant who entered into a Private Residential Tenancy Agreement with the knowledge and consent of the Applicant in terms of the 2016 Act for the Property commencing 5th May 2023.
13. The initial agreed monthly rental was £685 per month. It had not been increased.
14. Arrears have accrued since around May 2024 and at the date of the lodging of the application arrears amounted to £4,555.58.
15. The amount of arrears at the date of the CMD were £7,595.58.

16. Appropriate accounting had been provided in respect of the outstanding rent as at the date of the application and at the date of the CMD with the Tribunal.

Reason for Decision

17. The Tribunal accepted evidence from applicant's representative regarding the sums outstanding.

18. Mr Yusuf Fawehinmi accepted the level of arrears were lawfully due and that the Respondent's had failed to maintain payments due to a number of reasons, including loss of job and other expenses required to be paid.

19. The Tribunal exercised the power within rule 17 of the procedural rules and determined that a final order should be made at the CMD.

Decision

20. The order for payment of the sum of £4,555.58 is granted.

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.

Craig Chisholm

1st May 2026

Legal Member/Chair

Date