



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) 2014

Chamber Ref: FTS/HPC/CV/25/5290

Re: Property at Hotts Cottage, Waterbeck, Lockerbie, DG11 3HA (“the Property”)

Parties:

Simon Derek Amos and Anthony James Armitstead as Executors of Helen Amos, Simon Derek Amos and Anthony James Armitstead as Executors of Helen Amos, Abbey Cottage, Beckton Road, Lockerbie, DG11 2AZ; 5 Faverdale Road, Darlington, DL3 0TA (“the Applicant”)

Mr Mark Tansley, 47 Woodman Drive, Bury, BL9 5HQ (“the Respondent”)

Tribunal Members:

Hilary MacAndrew (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application be decided without a hearing and issued an order for payment should be granted in the sum of £3250

1) Background

- 1.1 This is an application under section 16 of the Housing (Scotland) Act 2014 whereby the Applicant is seeking an order for payment in the sum of £3,250.
- 1.2 The application to the Tribunal was made by Form F on 8th December 2025 and was accepted for determination by the Tribunal on 28th January 2026.
- 1.3 Intimation of the application and of the Initial Case Management Discussion (CMD) was effected upon the Respondent by sheriff officers on 6th May 2026.

2) The Case Management Discussion

- 2.1 The CMD took place by tele conference on 9 June 2026 at 10am. The Applicant was represented by Euan Edment of Messrs McJerrow and Stevenson, Solicitors. The Respondent did not take part. The start of the CMD was delayed to allow the Respondent to attend. The Respondent did not attend.
- 2.2 Mr Edment confirmed that the property is Hotts Cottage, Waterbeck, Lockerbie, DG11 3HA.
- 2.3 Mr Edment confirmed that the parties entered into a Short Assured Tenancy which commenced on 1st May 2014 at a monthly rent of £420.00
- 2.4 Mr Edment provided a rent statement showing arrears in the amount of £3,250 as at December 2025.
- 2.5 The property owner died on 1 March 2025. The rent has been unpaid since around April 2025.
- 2.6 The Respondent vacated the property on 11th January 2026
- 2.7 Rule 17 of the First-Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 provides that the Tribunal may do anything at a CMB which it may do at a hearing, including making a decision. The Tribunal was satisfied that it had before it sufficient information and documentation to decide the application without a hearing.

3) Findings in Fact and Law

- 3.1 The landlord and the Respondent entered into a Private Residential Tenancy Agreement in respect of the property which commenced on 1st May 2014
- 3.2 The monthly rent due under the Private Residential Tenancy is £420 per month.
- 3.3 The rent arrears due as at the date of the hearing is £3,250.
- 3.4 The Respondent has been in arrears of rent since April 2025.
- 3.5 The Applicant is entitled to recover rent lawfully due
- 3.6 The application of interest is not reflected in the Private Residential Tenancy Agreement

4) Reason for Decision

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

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.

Hilary MacAndrew

9th June 2026

Legal Member/Chair

Date