



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 71(1) of the Private Housing
(Tenancies) (Scotland) Act 2016**

Chamber Ref: FTS/HPC/CV/25/5430

**Re: Property at 15 Baillie Drive, Alford, Aberdeenshire, AB33 8TG (“the
Property”)**

Parties:

**Winchesters Lettings Limited, 7 Albert Street, Aberdeen, AB25 1XX (“the
Applicant”)**

**Mr Neil Alexander Scott, Mrs Julie Scott, Broomiebank, Alford, AB33 8QE (“the
Respondents”)**

Tribunal Members:

Mary-Claire Kelly (Legal Member)

Decision (in absence of the Respondents)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined to grant an order for payment in the sum of ONE
THOUSAND TWO HUNDRED AND THIRTY POUNDS AND FOURTEEN PENCE
(£1,230.14)**

Background

1. By application submitted on 17 December 2025 the applicant seeks an order for payment in respect of rent arrears. The applicant lodged the following documents with the application:
 - Copy tenancy agreement
 - Rent statement
 - Correspondence with the respondents

- Deposit information

Case management discussion (“cmd”) – 23 June 2026 - teleconference

2. The applicant was represented by Mr Winchester. Neither respondent was present nor represented. Papers had been served on the respondents by Sheriff Officers letterbox delivery on 22 May 2026. The Tribunal was satisfied that the respondents had been properly notified of the cmd and proceeded in their absence.
3. Mr Winchester referred to the rent statement that had been lodged. He stated that in terms of the tenancy agreement the monthly rent due was £700. The tenancy had terminated in May 2023 when the respondents moved out of the property. At that date the arrears amounted to £2280.14. Mr Winchester stated that a repayment arrangement of £150 per month had been agreed. Several payments had been made at the agreed rate which had reduced the outstanding arrears to £1230.14. Mr Winchester stated that the last payment had been made in November 2024. Since that date the applicant had tried to contact the respondents to discuss the default however no response had been received. Mr Winchester stated that there had been a deposit of £700 paid at the commencement of the tenancy. This had been refunded to the applicant who had used it to cover the cost of damage caused to the property by the respondents.

Findings in fact

4. Parties entered in a tenancy agreement with a commencement date of 26 January 2020.
5. Monthly rent due in terms of the agreement was £700.
6. The tenancy terminated in May 2023. Rent arrears at the date of termination amounted to £2280.14.

7. The respondents made monthly payments of £150 towards the arrears during the period from February 2024 until November 2024.
8. Outstanding arrears as at 23 June 2026 amount to £1230.14.
9. The respondents have not responded to correspondence from the applicant and have not made any payments to the outstanding arrears since November 2024.
10. The respondents lodged no written defence to the application and did not attend the cmd to oppose an order.

Reasons for decision

11. Rule 17 (4) states:

The First-tier Tribunal may do anything at a case management discussion which it may do at a hearing, including making a decision.

12. Rule 18 states:

Power to determine the proceedings without a hearing

18.—(1) *Subject to paragraph (2), the First-tier Tribunal—*

(a) may make a decision without a hearing if the First-tier Tribunal considers that—

(i) having regard to such facts as are not disputed by the parties, it is able to make sufficient findings to determine the case; and

(ii) to do so will not be contrary to the interests of the parties; and

(b) must make a decision without a hearing where the decision relates to—

(i) correcting; or

(ii) reviewing on a point of law,

a decision made by the First-tier Tribunal.

(2) Before making a decision under paragraph (1), the First-tier Tribunal must consider any written representations submitted by the parties.

13. The Tribunal was satisfied that it was able to make a determination and that it was not contrary to parties' interest to do so at the cmd without the need for a further hearing.

14. The Tribunal had regard to the application and the documents lodged by the applicant and the oral submissions at the cmd. The Tribunal had no reason to doubt the accuracy of the rent statement and other documents that had been submitted and accepted the statement as an accurate representation of the payments made by the respondents.

15. The Tribunal took into account that the respondents had not lodged any defence to the application or disputed the sum sought in any way.

16. The Tribunal was satisfied on the balance of probabilities that rent arrears in the sum of £1230.14 were outstanding.

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.

Mary-Claire Kelly

23 June 2026 _____
Date