



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 (“the 2016 Act”).

Chamber Ref: FTS/HPC/CV/26/0322

Re: Property at 9 DORNOCH PLACE, GLENROTHES, FIFE, KY6 2NU (“the Property”)

Parties:

EMMA PITBLADO, 126 EARLBANK AVENUE, GLASGOW, G14 9EA (“the Applicant”)

DANIEL PEEBLES, 9 DORNOCH PLACE, GLENROTHES, FIFE, KY6 2NU (“the Respondent”)

Tribunal Members:

Lindsay Paterson (Legal Member) and Ahsan Khan (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

Background

1. By application dated 20 January 2026 the Applicant sought an order for payment of alleged rent arrears of £2840 in terms of Section 71(1) of the 2016 Act and Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the procedure rules”).
2. A copy of the application was served on the Respondent by sheriff officer on 8 July 2026 and parties were notified that a case management discussion (“CMD”) would take place by telephone call on 11 August 2026 at 10am.
3. The Respondent was invited to lodge a written response to the application by 28 July 2026 but failed to do so. He was also provided with forms with which to make an application for a time to pay direction should he wish to do so. He did not make any such application.
4. On 16 July 2026, the Applicant made an application in terms of Rule 14A of the procedure rules to amend the sum claimed to £6410. The Tribunal allowed the application on 30 July 2026.

The Case Management Discussion

5. The case called for a CMD by way of teleconference on 11 August 2026 at 10am. The case called along with application FTS/HPC/EV/26/0297 which is an application for an eviction order involving the same parties.
6. The Applicant, Ms Pitblado, did not attend the CMD but was represented by Mrs King of Fife Letting Service.
7. The Respondent, Mr Peebles, did not attend the CMD. The Tribunal clerk attempted to reach the Respondent by telephone but was not able to reach him.
8. Mrs King told the Tribunal that the Applicant still seeks an order for payment of £6410.
9. Mrs King told the Tribunal that the Respondent has not paid any rent since November 2025. The last contact Mrs King had with the Respondent was in April 2026. Mrs King told the Tribunal that she had contacted the Respondent's next of kin in April 2026 as she had not heard from the Respondent since January 2026. She received an immediate response from the Respondent to advise that he was still living in the property and would not be leaving until an eviction order was granted. The Respondent has not made any recent payment proposals.
10. Mrs King told the Tribunal that the Respondent first fell into arrears in January 2025. The Applicant was sympathetic and willing to agree to a repayment plan. Payments were somewhat erratic but the Respondent managed to clear the arrears by June 2025. However, he fell back into arrears again shortly afterwards. Mrs King told the Tribunal that the Respondent advised at that time his mother had died and he had taken some time off work sick as a result. He later advised that he had lost his job.
11. Mrs King told the Tribunal that the Respondent was some type of ground worker and that when the weather was not suitable to work, he did not get paid. Mrs King told the Tribunal that she had advised the Respondent that if he ever had any difficulties in paying, he should speak to her to try to work something out. Mrs King told the Tribunal that she had agreed with the Respondent that he could pay his rent weekly to try to help him manage payments.
12. Mrs King advised that by November 2025 the Respondent had stopped making payments altogether and was no longer engaging with her or granting access to the property. As a result, a notice to leave was issued.
13. Mrs King told the Tribunal she was not aware whether the Respondent had made any applications for benefits in periods where he was off work or out of a job. Mrs King told the Tribunal that she had made an application to the local authority requesting to have any Universal Credit housing costs the Respondent receives paid directly to the Applicant, but the application was unsuccessful. Mrs King told the Tribunal that she did not know when making the application whether the Respondent was actually receiving Universal Credit or not as she has not been able to find that out from the Respondent. Mrs King told the Tribunal the Respondent has never told her that he has made or intends to make an application for Universal Credit or any other benefit.
14. Mrs King asked the Tribunal to grant the payment order at the CMD. She confirmed the amount sought of £6410 was still due and the Respondent has failed to make any recent payment proposals.

Findings in Fact

15. The Applicant is the owner of the property.
16. The Respondent is the tenant of the property.
17. Parties entered into a Private Residential Tenancy ("PRT") on 07 June 2023.
18. The Rent agreed in respect of the PRT is £595 payable on the 7th of every month.
19. The Respondent is in arrears of rent and has not paid any rent at all since November 2025. The arrears as of 7 July 2026 are £6410.
20. The Applicant, through her agent, provided the Respondent, by way of email correspondence dated 4 March 2025, 20 March 2025, 2 October 2025 and 26 November 2025, with clear information about the amount of rent due, the level of arrears and sources of advice and assistance. The Applicant offered the Respondent an opportunity to enter into a repayment arrangement in respect of the arrears. The Respondent failed to adhere to previously agreed repayment agreements.
21. The Respondent has failed to respond to further offers to reach a payment agreement made by the Applicant's agent.

Reasons for Decision

22. The Tribunal was satisfied that the Respondent had received notice of the CMD and was content to continue in his absence.
23. A rent statement was provided which showed, and Mrs King confirmed, the Respondent is in arrears of rent of £6410 as at 7 July 2026.
24. In the absence of any response from the Respondent disputing the sum sought, the Tribunal accepted it was due and that the Applicant is entitled to the order sought.

Decision

25. The Tribunal decided to exercise the power within Rule 17 of the procedure rules to make a decision on the application at the CMD as the Tribunal considered it had sufficient undisputed evidence before it to do so. The Tribunal determined that a payment order in favour of the Applicant should be granted against the Respondent in the sum of £6410.

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.

Lindsay Paterson

11/08/26

Legal Member/Chair

Date