



**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/25/5566

Re: Property at 54 Church Street, Dumfries, DG2 7AZ (“the Property”)

Parties:

Mr Gerald McLellan, Inokoshi 2-709, Meito-Ku, Nagoya-Shi, Japan (“the Applicant”)

Miss Niamh Cooney, Mr Ryan Bingham, 135 Lochside Road, Dumfries, DG2 0EA (“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”) issued an order for payment in the sum of Twelve Thousand Three Hundred and Eighty Four (£12,384).

1) Background

- 1.1 The Applicant is seeking a Civil Order for payment in respect of rent arrears and costs to cover clearance, repairs and redecoration totalling £15,085.
- 1.2 The tenancy started on 30th April 2023. The rent was £600 per month. The tenancy ended in December 2025, the Landlord being aware the property had been vacated on 15th December 2025.
- 1.3 The Respondent vacated the tenancy with rent arrears of £6,000.

- 1.4 The application to the Tribunal was made on 15 December 2025 and was accepted for determination by the Tribunal on 18th May 2026.
- 1.5 The Case Management Discussion was fixed for 17th August 2026. Intimation was given by Sheriff Officers to the Respondents on 24th July 2026.
- 1.6 The Applicant lodged the following documents in advance of the hearing:-
- a) Private Residential Tenancy Agreement;
 - b) Statement of Rent Arrears;
 - c) Various estimates and invoices in respect of repairs, redecoration, replacements and change of lock;
 - d) Correspondence from the Applicant to the Respondent regarding rent arrears and access to the property.

2) The Case Management Discussion Hearing

- 2.1 The hearing took place by tele conference on 17 August 2026 at 2pm. The Applicant represented himself. The Respondent did not take part.
- 2.2 The Applicant confirmed that he was seeking a Payment Order in respect of rent arrears and costs to cover clearance, repairs and redecoration totalling £15,085.
- 2.3 The Applicant took the Tribunal through the rent statement which demonstrated ten months unpaid rent amounting in total to £6,000
- 2.4 The Applicant took the tribunal through the various photographs showing the condition of the property on 22nd December 2025 and through the estimates and invoices in respect of the costs of clearance, repairs and redecoration.
- 2.5 The Tribunal accepted the following costs as having been justified and reasonable namely; Replacement lock and Alarms £440, Replacement flooring £2160, Repairs and redecoration £3784, bringing a total sum for these costs and rent arrears of £6000 to £12,384.

2.6 The Applicant indicated that he would accept the figure of £12,384.

3) The Decision and Reasons

3.1 The Tribunal made a Payment Order reflecting the sum accepted by the Applicant of £12,384.

3.2 The Tribunal was satisfied from the submission made by the Applicant and vouching provided for costs as well as the rent statement, that the Applicant was entitled to recover rent lawfully due and reasonable costs incurred at the end of the tenancy.

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

Legal Member/Chair

Date: 17th August 2026