



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

Chamber Ref: FTS/HPC/CV/26/0643

Re: Property at 52D Mossgiel Road, Ayr, KA7 3DL (“the Property”)

Parties:

**LAR Housing Trust, F3 Buchan House, Enterprise Way, Dunfermline, KY11 8PL
 (“the Applicant”)**

Ms Tenisha Brooks, 52D Mossgiel Road, Ayr, KA7 3DL (“the Respondent”)

Tribunal Members

Alastair Houston (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment of £4217.28 be made in favour of the Applicant

1. Background

1.1 This is an application under rule 111 of the Chamber rules whereby the Applicant sought an order for payment in respect of rent apparently unpaid under a private residential tenancy agreement between the parties. The application was accompanied by, amongst other things, copies of the tenancy agreement between the parties, a rent statement and rent increase notices served. The application had been conjoined with the application for an eviction order, reference FTS/HPC/EV/26/0642.

1.2 No written representations had been received from the Respondent in advance of the Case Management Discussion. The Applicant lodged an application to amend the sum on 3 August 2026.

2. The Case Management Discussion

- 2.1 The Case Management Discussion took place on 20 August 2026 by teleconference. The Applicant was represented by Ms Callaghan of TC Young Solicitors. The Respondent attended personally.
- 2.2 The Tribunal heard from the Applicant's representative. The private residential tenancy began on 14 September 2022. The rent charged had been increased on a number of occasions as per the notices produced. The rent was currently £418.08 per month and the current arrears balance is £4217.28.
- 2.3 The Respondent confirmed that she accepted the arrears said to be outstanding and wished to make an offer of payment of the arrears at the rate of £300.00 per month, in addition to the ongoing rent charge. Accordingly, the Tribunal granted the application for payment of this sum. The Tribunal noted interest was sought. The Applicant's representative advised that no provision was made within the tenancy agreement for interest. The Tribunal ought to exercise its discretion under rule 41A(2)(b) of the Chamber rules to order interest and the rate that had been selected, being 8%. The Respondent had no submissions to make.

3. Reasons For Decision

- 3.1 The obligation to pay rent was set out in the private residential tenancy agreement and the rent had been altered by way of rent increase notice. The Respondent accepted that the sum sought by the Applicant was due and owing.
- 3.2 The Tribunal did not consider it appropriate to order interest. The Respondent had made an offer of repayment. She was on a relatively low income and parties had not included provision within the tenancy agreement for interest to be charged in respect of any debt.

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.

Alastair Houston

20 August 2026

Legal Member/Chair

Date