



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

Chamber Ref: FTS/HPC/CV/26/1572

**Re: Property at 4A Petendreia Court, Bonnyrigg, Midlothian, EH19 2AF (“the
Property”)**

Parties:

**LAR Housing Trust, F3 Buchan House, Enterprise Way, Dunfermline, FK11 8PL
 (“the Applicant”)**

**Ms Meg-Anne Reid, Mr Ryan Porteous, 4A Petendreia Court, Bonnyrigg,
Midlothian, EH19 2AF (“the Respondent”)**

Tribunal Members:

Hilary Macandrew (Legal Member) and Ann Moore (Ordinary Member)

Decision ; In absence of Respondent

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) make a payment Order against the Respondent in the sum of Three
Thousand Three Hundred and Sixteen Pounds and Seventy Six Pence
(£3,316.76)**

1) Background

By Application dated 10th April 2026 the Applicant sought a Payment Order in
respect of arrears of rent

- 1.1 The application to the Tribunal was made by Form F on 10th April 2026 and was
accepted for determination by the Tribunal on 5th May 2026. There is a
connected application under reference FTS/HPC/EV/26/1571. The applications
were heard together.

- 1.2 Intimation of the application and of the Initial Case Management Discussion (CMD) was effected upon the Respondent by sheriff officers on 12th August 2026.
- 1.3 The Applicant lodged the following documents in advance of the case management discussion (CMD):-
- Short Assured Tenancy agreement
 - Rent Statement
- 1.5 A Case Management Discussion was set to take place on 21 September 2026. Intimation was given to the Respondent by Sheriff Officers on 12 August 2026.

2) The Case Management Discussion ('CMD')

- 2.1 The CMD took place by tele conference on 21th August 2026. The Applicant was represented by Ms Mullen of TC Young, Solicitors. The Respondent was neither present nor represented. The start of the Tribunal was delayed by 5 minutes to enable the Respondent to take part. They did not.
- 2.2 The Applicant sought the Payment Order in the sum of at £2,566.76.
- 2.3 Ms Mullen explained that the rent has been persistently in arrears since April 2023 and at the date of the Tribunal the arrears stood at £2,566.76. Ms Mullen took the Tribunal through the updated rent statement which had been submitted with the Applicant's request to amend the arrears to the figure of £3,316.76. She confirmed that a payment had been made in advance of the CMD to reduce the arrears to £2,566.76.
- 2.4 The tenancy commenced on 1st November 2017 with an initial rent of £595 per month. The rent increased during the course of the tenancy from £595 per month to the current rent of £700.47 per month.
- 2.5 The Applicant had invited the Respondent to enter into a payment plan on more than one occasion during the tenancy. Terms were agreed but the Respondent failed to adhere to the agreement almost immediately it was put in place.
- 2.6 Ms Mullen explained that the property is a mid-market rental property. There is currently a waiting list of 20 to 30 families for this type of property. The rent arrears in this case have been the highest for this Applicant in Midlothian. They are more than twice the level of average arrears.
- 2.7 The Applicant has tried to engage constructively with the Respondent but the Respondent will not address the rent arrears or any other aspects of the tenancy. The Applicant is suffering financially by the non payment of rent as they require rent to meet the costs of maintenance, repairs and secured borrowing.
- 2.8 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 CMD 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 Tenancy agreement is a Short Assured Tenancy Agreement which commenced on 1st November 2017.
- 3.3 The Respondent is in arrears of rent in the sum of £2,566.76 . These arrears are lawfully due to the Applicant
- 3.4 The Applicant is entitled to a Payment Order

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

21st September 2026

Legal Member/Chair

Date