



**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/26/1798

**Re: Property at 53 Carron Place, Irvine, North Ayrshire, KA12 9NF (“the
Property”)**

Parties:

**Easton Property Merkland Limited, 2 Newfield Drive, Dundonald, South
Ayrshire, KA2 9EW (“the Applicant”)**

**Ms Julie McConnachie, 53 Carron Place, Irvine, North Ayrshire, KA12 9NF (“the
Respondent”)**

Tribunal Members:

Hilary Macandrew (Legal Member) and Mary Lyden (Ordinary Member)

Decision in absence of Respondent

The Tribunal made a Payment Order in the sum of Three Thousand Two Hundred and Ten Pounds (£3,210.00)

By Application dated 21st April 2026 the Applicant sought an order Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016 (‘The Act’)

1) Background

- 1.1 The application to the Tribunal was made by Form F and was accepted for determination by the Tribunal on 12th May 2026.
- 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):-

- Tenancy agreement
- Rent Statement
- Arrears Repayment Plan Template
- Rent Increase Notices
- Pre Action correspondence

- 1.5 A Case Management Discussion was set to take place on 6th October 2026. Intimation was given to the Respondent by Sheriff Officers on 12th August 2026.

2) The Case Management Discussion ('CMD')

- 2.1 The CMD took place by tele conference on 6th October. A separate Application reference FTS/HPC//26/1796 between the same parties was heard at the same time. Ms Barclay a Property Manager employed by the Applicant represented the Applicant. The Respondent did not take part. The Respondent had submitted no submission nor documentation in advance of the CMD.
- 2.2 Ms Barclay confirmed that the Applicant was seeking a Payment Order in respect of arrears of rent in the sum brought out in the Application namely £3,210.
- 2.3 Ms Barclay confirmed that when the Application to the Tribunal was made the arrears were £3,210. At the date of the Tribunal they were £3,310. She made reference to the rent statement produced with the Application and an updated rent statement produced and lodged with the Tribunal on the morning of the CMD.
- 2.4 Ms Barclay told the Tribunal that the Respondent has been a tenant for 7 years.. The initial rent was £450 per month. With the exception if a small underpayment in July 2019, the rent was paid regularly until 1st May 2021 when it was increased to £460 per month. With the exception of one month non-payment of rent in February 2024, the rent was paid regularly from 1st May 2021 until 1st November 2024 when it was increased from £460 per month to £600 per month. The Respondent continued to pay £460 per month from 1st November 2024 until 1st April 2026 leaving a shortfall of £140 per month. The rent was increased from £600 to £620 per month on 1st January 2026. The Respondent continued to pay £460 per month until 1st April 2026 when she increased her payment to £600 per month. At the time of the CMD the Respondent continues to pay £600 per month leaving a shortfall in the current rent of £20 per month.
- 2.5 Ms Barclay told the Tribunal that the Respondent is not engaging with the Applicant regarding the rent arrears. She has never provided a reason for not paying the full rent. She did not provide any objection or feedback when the rent was formally increased.

- 2.6 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 CMB 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 Private Residential Tenancy Agreement commenced on 1st March 2019 at a monthly rent of £450. It has increased during the tenancy to a rental figure at the time of the CMD of £620 per month.
- 3.2 The Respondent was in arrears of rent at the time these proceedings were raised in the sum of £3210. The Respondent was in arrears at the date of the CMD.
- 3.3 Rent lawfully due has not been paid by the Respondent to the Applicant
- 3.4 The Applicant is entitled to recover rent lawfully due

4) Reasons for Decision

- 4.1 Rent lawfully due is outstanding. The Applicant is entitled to recover rent lawfully due .

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.

**H Macandrew
Legal Member/Chair**

**6th October 2026
Date**