

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017.

Chamber Ref: FTS/HPC/CV/26/3601

Re: Property at 30 3F2 Kirk Street, Room 5, Edinburgh, EH6 5EZ (“the Property”)

Parties:

Mr Peter Aslet, Lynda Aslet, 104 Ravelston Dykes, Edinburgh, EH12 6HB; 104 Ravelston Dykes, Edinburgh, EH12 6BH (“the Applicants”)

Mr Kyle Scott, 30 3F2 Kirk Street, Room 5, Edinburgh, EH6 5EZ (“the Respondent”)

Tribunal Members:

Fiona Watson (Legal Member) and Greig Adams (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order is granted against the Respondent for payment of the undernoted sum to the Applicants:

Sum of FOUR THOUSAND FIVE HUNDRED AND ONE POUNDS AND ONE PENCE (£4,501.01) STERLING

- Background
 1. An application was submitted to the Tribunal under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”), seeking a payment order against the Respondent in relation to rent arrears accrued under a private residential tenancy agreement.
- The Case Management Discussion
 2. A Case Management Discussion (CMD) took place on 5 October 2026 by telephone call. The Applicant was represented by Ms Young of Rockford

Properties. The Respondent attended and represented himself. No written response to the application had been lodged by the Respondent prior to the CMD.

3. A separate application by the Applicant seeking a repossession order against the Respondent under Rule 109 of the Rules and under case reference FTS/HPC/EV/26/1360 was heard at the same time.
4. The Applicant's representative moved for the order for payment to be granted in the increased sum of £4,660. The parties had entered into a Private Residential Tenancy Agreement. The Respondent had failed to make payment of rent and at the time of submitting the application had fallen into arrears amounting to £3,270. Since submitting the application, the arrears had increased to £4,966.01. The arrears had commenced in October 2025 and there had been a continuous arrear to date. A previous payment order had been granted against the Respondent in favour of the Applicants in respect of rent arrears in sum of £1,226.01, granted in February 2026. Payments had been made towards said order by the Respondent and deducting the amount left due under said order, the amount being sought under today's application was £4,660.

- Findings in Fact

5. The Tribunal made the following findings in fact:

- (i) The parties entered into a Private Residential Tenancy Agreement ("the Agreement") which commenced 15 February 2020;
- (ii) In terms of Clause 8 of the Agreement, the Respondent was obliged to pay a monthly rent of £695 to the Applicant, an increase on the original rent of £350 per month;
- (iii) The Respondent had failed to make payment of rent as fell lawfully due, and had accrued arrears amounting to £4,966.01 as at the date of the CMD.

- Reasons for Decision

6. The Respondent was obliged to make payment of rent in the sum of £695 per month under Clause 8 of the Agreement and had failed to do so. This was admitted by the Respondent, however the exact amount of arrears outstanding was not so admitted. The Respondent however did not make any alternative proposal as to what he considered fell lawfully due.
7. The Tribunal noted that an application to increase the sum sought had been made by the Applicants on 28 September 2026 to increase the sum to £5,081.01, being the sum due at that date. This application had not been made timeously, with Rule 14A requiring that such an application be made at least 14 days' prior to the CMD. This application could therefore not be considered. Prior to that, an application to increase the sum sought had been made on 24 August 2026 seeking the increased sum of £4501.01. This was made timeously and the Tribunal was satisfied that this application for increase could be considered. The Applicants then sought payment in the higher sum of £4,660 at the CMD.

This sum was not expressly agreed to by the Respondent and on that basis the Tribunal was not satisfied that it could be granted. However it was satisfied that the sum of £4501.01 as per the increase application of 24 August 2026 could be granted.

- Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) granted an order against the Respondent for payment of the undernoted sum to the Applicants:

Sum of FOUR THOUSAND FIVE HUNDRED AND ONE POUNDS AND ONE PENCE (£4,501.01) STERLING

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.

Fiona Watson

Legal Member/Chair

Date: 5 October 2026