



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014 and Regulations 17(4) and 70 of the First tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)

Chamber Ref: FTS/HPC/CV/26/0094

Re: Property at 4 Winton Place, Irvine, KA12 0SN (“the Property”)

Parties:

Mr Manjit Beila, 122 Pelham Road, Gravesend, Kent, DA11 0GH (“the Applicant”)

Mr Ian Doolan, Miss Rachel McAdam, Unknown, Unnown; Unknown, Unknown (“the Respondent”)

Tribunal Members:

Evan Crainie (Legal Member) and Mary Lyden (Ordinary Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted a Payment Order for the Sum of TWO THOUSAND FOUR HUNDRED AND FORTY-FIVE POUNDS (£2,445) STERLING

Background

1. By application received on 8 January 2026 (“the Application”), the Applicant applied to the Tribunal for an Order for payment of rent arrears due by the Respondents to the Applicant.
2. The Application comprised the following:
 - a. copy short assured tenancy agreement between the Parties; and
 - b. copy rent statement showing arrears of £3,130 due and owing in January 2026.
3. The Application was accepted by the Tribunal Chamber, and a Case Management Discussion (“CMD”) was fixed for 21 September 2026 at 10.00 by teleconference. The CMD was intimated to both Parties, and, in particular, was intimated to the Respondents, by Sheriff Officer. The Respondents are said to have vacated the Property on 31 August 2026. However, the Sheriff Officer

Certificate of Intimation is dated 12 August 2026 and confirms personal service upon the first named Respondent, Ian Doolan, with intimation on the second named Respondent, Rachel McAdam, taking place by leaving the documentation for the second named Respondent in the hands of the first named Respondent. Given service was effected on both Respondents prior to them leaving the Property, the Tribunal was satisfied that the requirements of rule 24(1) regarding the giving of notice of a hearing had been duly complied with. The Tribunal therefore proceeded with the Application in the absence of the Respondents.

4. Prior to the CMD, the Applicant's representative submitted an updated rent statement showing the rent due to have decreased to £2,445.

The CMD

5. The CMD took place on 21 September 2026 at 10.00 by teleconference. The start time of the CMD was delayed by five minutes to allow parties the opportunity to attend. The Applicant was not present but was represented by Louise Gallacher of 1-2-Let (Letting & Sales) Ltd. The Respondents were not present and were not represented. They did not submit any written representations.
6. The Applicant's representative confirmed that she sought a Payment Order for the amended sum of £2,445. She advised that there had been a rent increase in June 2024 from £495 to £650. The Respondents had not challenged this rent increase but did not pay the increased amount (£650). They instead continued to pay £495 which has led to the rent arrears materialising. No Universal Credit was in payment as the first name Respondent is in full-time employment.
7. A payment order in the amount of £2,015 has already been granted in respect of the Property and the Parties for earlier arrears (Chamber Ref: FTS/HPC/CV/24/5458). That payment order was paid in full on or around 15 February 2026 (as evidenced by a rent statement lodged by the Applicant's representative). The amount sought today is in respect of further arrears that have accrued.
8. The Applicant has applied for, but not yet received, the deposit of £562.50 back from the approved deposit scheme as they are currently within the 30-day period for any challenges to the deposit being sought. Should they receive some or all of the deposit from the approved deposit scheme, the Applicant intends to set this off against the arrears.

Findings in Fact

9. From the Application and the CMD, the Tribunal made the following findings in fact: -
 - a. There was a short assured tenancy of the Property between the Parties commencing on 14 September 2015;
 - b. Said private residential tenancy came to an end on 31 August 2026 as a result of the Respondents leaving the Property;
 - c. The monthly rent was £650; and
 - d. There are rent arrears of £2,445.

Decision and Reasons for Decision

10. The Tribunal had regard to all the information before it and to its Findings in Fact.
11. The Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal “*may do anything at a case management discussion.... including making a decision.*” The Tribunal took the view that it had sufficient information to make a decision and so proceeded to determine the Application.
12. Having found that the Respondents are due and owing to the Applicant for the sum of £2,445, the Tribunal proceeded to make an order for payment in this sum.

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.

E Crainie

21st September 2026

Legal Member/Chair

Date