

**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**

Chamber Ref: FTS/HPC/CV/26/1692

**Re: Property at Flat 5, 40 Esslemont Avenue, Aberdeen, AB25 1SP (“the
Property”)**

Parties:

**JPPA Properties Ltd, Office 2 30/2 Esbank Office, Complex Hardengreen,
Industrial Estate, Dalkeith (“the Applicant”)**

**Mr Scott David Labrum, 40 Esslemont Avenue, 2FR Flat 5, Aberdeen, AB25
1SP (“the Respondent”)**

Tribunal Members:

Andrew Cowan (Legal Member) and Gerard Darroch (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the sum of £4800.00 is lawfully due by the Respondent and granted an order for payment of that sum by the Respondent to the Applicant.

Background

1. By an application dated 16th April 2026 the Applicant sought an order for payment of £4800 from the Respondent in respect of rent arrears.
2. A Case Management Discussion (“CMD”) took place by teleconference on 12th October 2026. The Applicant was represented at the CMD by Ms Maxine Card of Martin and Company, the Applicant’s letting agents.
3. The Respondent did not join the CMD call. The Tribunal were satisfied that the Application, and details of the CMD, had been intimated upon the Respondent by Sheriff Officers on 25th August 2026. The Tribunal was satisfied that the Respondent had been given reasonable notice of the date, time and place of the CMD and that the requirements of rule 24(1) of the First-Tier Tribunal for

Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Procedure Rules”) had been duly complied with. In the circumstances the Tribunal proceeded with the application in accordance with rule 29 of those Procedure Rules.

4. The Respondent did not lodge any written submissions with the Tribunal prior to the date of the CMD.
5. The Tribunal considered the application along with a separate application (made under reference FTS/HPC/EV/26/2037) which sought an order for the eviction of the Respondent from the Property. The Tribunal have issued a separate decision in relation to that eviction application.

Further Information:

6. At the CMD the Applicant’s representative explained that the Respondent had accrued rent arrears, due under the terms of a tenancy agreement between the parties in relation to the Property, in the sum of £7878.90 as at the date of the CMD.
7. The Applicant’s representative sought to amend the sum claimed in the application to the sum of £7878.90. The Applicant had not given notice to the Respondent of the request to amend the sum claimed and had not made such a request to the Tribunal at least 14 days prior to the date of the CMD, as required by Rule 14A of the Tribunal rules of procedure. For these reasons the Tribunal did not allow the applicant to amend the sum claimed in the application. The Tribunal considered only the sum claimed, as stated in the application, being £4800.
8. The Tribunal accepted the evidence of the Applicant that Respondent was due payment of the sum of £4800, being rent arrears due by the Respondent as at 16th April 2026, being the date of the application. The Tribunal noted, and accepted as evidence, the terms of the full rent statement which had been made available by the Applicant to the Tribunal in that respect.

Findings in fact

9. The Applicant let the Property to the Respondent in terms of a written tenancy agreement which commenced on or around 30th October 2023.
10. As of 16th April 2026, the Respondent had accrued arrears of rent incurred during the term of the tenancy in the sum of £4800.
11. As at the date of this CMD that sum of £4800 remains due and owing by the Respondents to the Applicant in respect of arrears of rent incurred by the

Respondents during the term of the tenancy for the period up to 16th April 2026.

Decision

Under rule 17(4) of the Procedure Rules the First-Tier Tribunal may do anything at a case management discussion which it may do at a hearing, including making a decision.

The Tribunal accordingly granted an order for payment by the Respondents to the Applicant in the sum of £4800.00.

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.

Andrew Cowan

Legal Member/Chair

12th October 2026

Date