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 Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/26/0516

Re: Property at 11 Mill Street, Dingwall, IV15 9PX ("the Property")

Parties:

Mrs Mellissa Abraham, 8 Sgitheach Place, Evanton, Dingwall, IV16 9UD ("the Applicant")

Mr David Mcgregor, 41 Fingal Road, Dingwall, IV15 9PL ("the Respondent")

Tribunal Members:

Hilary Macandrew (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") made an Order for payment by the Respondent to the Applicant in the sum of Two Thousand Six Hundred Pounds (£2,600.00)

1) Background

1.1 By Application dated 30th January 2026 the Applicant sought an order under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016

1.2 The application to the Tribunal was made by Form E and was accepted for determination by the Tribunal on 4th June 2026.

1.3 Intimation of the application and of the Initial Case Management Discussion (CMD) was effected upon the Respondent by sheriff officers on 18th August 2026.

1.4 The Applicant lodged the following documents in advance of the case management discussion (CMD): -

- Short Assured Tenancy Agreement
- Rent Statement
- Title Sheet

1.5 A Case Management Discussion was set to take place on 30th October 2026. Intimation was given to the Respondent by Sheriff Officers on 18th August 2026.

2) The Case Management Discussion

2.1 A Case Management Discussion ('CMD') took place by tele conference on 30th October 2026. The Applicant was represented by Mr Smith of South Forrest, Solicitors. The start of the Tribunal was delayed by five minutes to enable the Respondent to take part. The Respondent neither took part nor was represented. He had made no written submission in advance of the CMD.

2.2 Mr Smith told the Tribunal that he was seeking a Payment Order in the sum of £2,600 as shown in the rent statement. The Respondent had vacated the property on 24th February 2026.

2.3 The Tenancy commenced on 1st February 2024. The monthly rent was £600 per month. The rent fell into arrears following on from a shortfall of the monthly rental payment in September 2025 of £200. The rent statement confirmed this and that no rental payments had been made at all for the months of October, November and December 2025 and January 2026. The rent statement confirmed the arrears of £2,600 at the date of the CMD.

2.4 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 February 2024.and terminated on 24th February 2026

3.2 In terms of the Short-Assured Tenancy Agreement the Respondent undertook to pay rent to the Applicant at the rate of £600 per month.

3.3 Rent lawfully due by the Respondent to the Applicant, amounting to £2,600 has not been paid.

3.4 The Applicant is entitled to an order for payment of the arrears of rent of £2,600.

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	**30th October 2026**
Legal Member/Chair	**Date**