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/26/0138

Re: Property at 2 K Ashvale Court, Aberdeen, AB10 6FA ("the Property")

Parties:

Mr Matthew Heap, 31 Coldstone Avenue, Aberdeen, AB15 8TT ("the Applicant")

Mr Ian Moar, unknown, unknown ("the Respondent")

Tribunal Members:

Serena Weir (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that an order be made against the Respondent for payment to the Applicant of the sum of FIVE HUNDRED AND EIGHTEEN POUNDS AND SIXTY-NINE PENCE (£518.69) STERLING.

Background

1. This was an application by the Applicant for civil proceedings in relation to a private residential tenancy ("**PRT**") in terms of rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 as amended ("**the Rules**"), namely an order for payment of rent arrears.
2. The application was lodged with the Tribunal on 12 January 2026.
3. The application was accompanied by a copy of the tenancy agreement and rent statement.

The Case Management Discussion ("CMD")

4. The application called for a CMD, conducted by remote telephone conference call, on 03 November 2026 at 11.30am.
5. The Applicant was represented by Daisy McCallum of Winchesters Letting Limited. There was no appearance from the Respondent. No contact had been received from the Respondent in advance of the CMD. The Applicant's representative confirmed that no communication had been received from Respondent about the CMD.
6. Notice of the CMD had been given to the Respondent by advertisement on the website of the Tribunal. A copy of notice of the CMD was also sent to the Respondent by email to the address noted in the lease. A copy of the certificate

of service by advertisement and email was available to the Tribunal. Having not commenced the CMD until around 11.35am and having considered the terms of Rule 29 of the Rules, the Tribunal determined that the requirements of Rule 17(2) of the Rules had been satisfied, and it was appropriate to proceed with the application in the absence of the Respondent.

7. At the CMD, the Applicant's representative confirmed that the application for an order for payment of rent arrears was still insisted upon.
8. The rent statement which was provided demonstrated that the rent had not been in full and on time since September 2024. The Respondent had moved out of the Property in early November 2024. The sum of £185.50 had been received from Safe Deposit Scotland. That left a balance of £518.69 owed.

Findings in Fact

9. The Applicant is the landlord of the Property.
10. The Applicant and the Respondent entered into a tenancy agreement which had a start date of 01 May 2024 and in terms of which the Applicant let the Property to the Respondent.
11. The tenancy agreement was a PRT.
12. The rent due in respect of the tenancy agreement was £625 per calendar month payable on the first day of each month.
13. The Respondent had failed to make full and timeous payment of the rent due from September 2024 onwards.
14. The Respondent has accrued rent arrears of £518.69. Appropriate accounting had been provided to the Tribunal. These sums remain owed to the Applicant by the Respondent.

Reasons for Decision

15. The application was in terms of rule 111, being an order for civil proceedings in relation to a PRT.
16. The Tribunal gave careful consideration to all of the background papers including the application and supporting documentation and the oral submissions made at the CMD on behalf of the Applicant.
17. The Tribunal had no material before it to advance any arguments on behalf of the Respondent.
18. The Tribunal determined that an order for payment could properly be granted at the CMD pursuant to rule 17(4) of the Rules and that there was no need for an adjournment to a further hearing or further Tribunal procedure.
19. The Tribunal was satisfied, on the basis of the application and supporting papers, that rent arrears of £518.69 were due, for the period September 2024 to November 2024 and remained outstanding as of today.

Decision

20. The Tribunal grants an order for payment by the Respondent to the Applicant for the sum of FIVE HUNDRED AND EIGHTEEN POUNDS AND SIXTY-NINE PENCE (£518.69) 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.

Serena Weir

03/11/26

Legal Member/Chair **Date**