

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016.**

**Chamber Ref: FTS/HPC/CV/24/3183**

**Re: Property at 36A High Street, Galashiels, TD1 1SE (“the Property”)**

**Parties:**

**Mr Glyn Thomas, 1/12, Couperfield, Edinburgh, EH6 6HG (“the Applicant”)**

**Mr Sean Sherrat, UNKNOWN, UNKNOWN (“the Respondent”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member)**

**Decision (in absence of the Respondent)**

**[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the Respondent in the sum of £4,898.00 with interest running at the rate of 8 per cent per year from today’s date until payment.**

**Background**

[2] The Applicant seeks a Payment Order in respect of rent arrears said to be lawfully due by the Respondent to the Applicant under a tenancy between the parties.

[3] The Application is accompanied by a copy of the tenancy agreement and rent statements.

**Case Management Discussion**

[4] The Application called for a Case Management Discussion (“CMD”) by conference call at 2pm on 20 December 2024. The Applicant was represented by Ms O’Callaghan from TC Young. There was no appearance by or on behalf of the Respondent. Service of the Application had been competently effected on the Respondent by means of advertisement on the Tribunal website as the Respondent’s whereabouts could not reasonably be located. The Tribunal therefore decided to proceed in the Respondent’s absence. Having heard from Ms O’Callaghan, the Tribunal made the following findings in fact.

### **Findings in fact**

- I. The Parties entered into a tenancy agreement in terms of which the Applicant let the Property to the Respondent;*
- II. The contractual monthly rent was £325.00;*
- III. The Respondent was evicted from the Property with arrears of rent.*
- IV. The sum of £4,898.00 is currently lawfully due as rent arrears by the Respondent to the Applicant.*

### **Decision**

[5] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £4,898.00 with interest running at the rate of 8 per cent per year from today’s date until payment.

### **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 McLaughlin**

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Legal Member/Chair

20 December 2024  
Date

