

**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 of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/24/0864**

**Re: Property at 3A Urquhart Street, Aberdeen, AB24 5PL (“the Property”)**

**Parties:**

**Danta Realty Ltd, 42 Muirfield Crescent, Dundee, DD3 8PT (“the Applicant”)**

**Mr Liam Stuart Dargie, 3A Urquhart Street, Aberdeen, AB24 5PL (“the Respondent”)**

**Tribunal Members:**

**Nairn Young (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that:**

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent in terms of a private residential tenancy agreement with the Applicant. It called for case management discussion (‘CMD’) at 10am on 20 January 2025, by teleconference. The Applicant was represented on the call by Mr Jeffrey Livingstone, of Landlord Specialist Services Scotland. The Respondent was not on the call and was not represented. The commencement of the CMD was delayed by 10 minutes, in case of any technical difficulty; but there remained no contact from him.

The matter called previously for a CMD on 30 August 2024, conjoined with another application. The Respondent did not appear at that calling, either. The Respondent was notified of this calling by letter, dated 4 December 2024. The Tribunal considered it was clear that the Respondent did not intend to defend the application and proceeded on that basis.

- Findings in Fact

The Tribunal considered the following undisputed facts as relevant to its decision:

1. The Applicant let the Property to the Respondent in terms of a private residential tenancy agreement with a start date of 9 February 2023, which has subsequently come to an end.
2. In terms of the tenancy agreement, rent of £740 was due on the 8<sup>th</sup> day of each month.
3. As of February 2024, when this application was submitted, the Respondent was in arrears of rent of £5,410.

- Reasons for Decision

4. This matter was continued at the last calling to allow the Applicant, if it so chose, to amend the sum sought, given its allegation that further arrears had accrued since the application was first made. It ultimately did not decide to do so; so, only the question of what sum was owed as of February 2024 was live before the Tribunal. The Tribunal was satisfied that the sum sought was owed at that time and therefore granted an order for payment of that amount.

- Decision

**Order made for payment by the Respondent to the Applicant of the sum of FIVE THOUSAND, FOUR HUNDRED AND TEN POUND STERLING (£5,410).**

## **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.**

**Legal Member/Chair: Mr Nairn Young**

**Date: 23<sup>rd</sup> January 2025**

