

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

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**Decision in terms of Section 43 of the Tribunals (Scotland) Act 2014 and Rule 39 of Schedule 1 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ('the 2017 rules')**

**Chamber Ref: FTS/HPC/CV/24/0232**

**Re: Property at Flat 0/1, 10 Northpark Street, Glasgow, G20 7AB ("the Property")**

**Parties:**

**Mrs Changlin Sun, 18 Lochburn Gate, Glasgow, G20 0SN ("the Applicant")**

**Mr Corey Lowdon (otherwise known as Ms Sonya Lowdon), c/o 2A Phoenix Place, Stevenston, ML1 4JW ("the Respondent")**

**Tribunal Members:**

**Sarah O'Neill (Legal Member) and Ahsan Khan (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') decided to review its decision of 13 February 2025 and to issue an amended decision correcting the error made in that original decision.**

**Background**

1. On 13 February 2025, the Tribunal issued a decision granting an order for payment by the Respondent to the Applicant for the sum of £3654. This reflected the oral decision given by the Tribunal to the Applicant's representative at the case management discussion held on 6 February 2025.
2. On the same date, the Tribunal issued a direction to the parties stating that the Tribunal proposed to review the decision at its own instance. The reason for this was that the Tribunal now considered that it had made an error in the decision and wished to correct this.
3. The direction explained that in the decision, the Tribunal determined that the Respondent's tenancy ended on 25 October 2024. This decision was made on

the basis that the Respondent confirmed in writing that he had left the property on 27 September 2024, and that the notice period required by a tenant under a private residential tenancy is 28 days. The Tribunal therefore determined that the amount payable by the Respondent to the Applicant was £3585 up until 27 September 2024 plus £294 pro-rata for the month of October, totalling £3879. Having deducted the deposit of £225 from this sum as agreed by the Applicant's representative, the Tribunal therefore decided that the Respondent was due to pay to the Applicant the sum of £3654.

4. The Tribunal now considered that its decision about the end date of the tenancy, and consequently the sum to be paid by the Respondent, was incorrect. As noted elsewhere in the decision, in terms of section 50 (1) of the Private Housing (Tenancies) (Scotland) Act 2016, a private residential tenancy comes to an end if: (a) the tenant has received a notice to leave from the landlord and (b) the tenant has ceased to occupy the property. In this case, the notice to leave was dated 17 September 2023 and the date specified in the notice in accordance with section 62 (1) (b) was 17 October 2023. Therefore in this case the tenancy came to an end on the date on which the Respondent ceased to occupy the let property.
5. That being the case, there was no need for the Respondent to give notice to the Applicant. The Tribunal should have taken this into consideration. Bearing this in mind, the Tribunal therefore considered that the end date for the tenancy should in fact be 27 September 2024. Accordingly the amount owed by the Respondent should be £3360, calculated by deducting the £225 deposit from the £3585 rent arrears up until the end of September 2024.
6. The Tribunal notified the parties in the direction that its provisional view is that the decision should be reviewed as proposed. The Tribunal considered that the matter could be determined without a hearing, subject to the views of the parties.
7. The Tribunal therefore notified the parties in terms of rule 39 (7) of the 2017 rules that it proposed to review the decision at its own instance and wished to seek their views on whether the matter could be determined without a hearing.
8. Both parties were invited to submit their views on the proposed review of the decision, including whether the matter could be determined without a further hearing. They were invited to respond by 4 March 2025.
9. No response was received from either party by that date. Accordingly, neither party indicated that they opposed the Tribunal's proposal to review its decision of 13 February 2025.

### **Statement of reasons for the decision**

10. In the absence of any response to its direction from either party, the Tribunal considered that the matter could be determined without a hearing. It therefore proceeded to review its decision without a hearing.
11. The Tribunal remains of the view that there was an error in its decision for the reasons outlined above. It considered that it was necessary in the interests of justice to review the decision at its own instance. It therefore reviewed its decision as proposed, to correct the error made in the original decision in terms of section 44 (1) (c) of the Tribunals (Scotland) Act 2014. The Tribunal accordingly issues alongside this decision an amended decision dated 14 March 2025.

### **Decision**

12. The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') decided to review its decision of 13 February 2025 and to issue an amended decision.
13. No further review is permitted of this review decision. There is no right of appeal against this review decision, in terms of Sections 51 and 52 of the Tribunals (Scotland) Act 2014.

**Sarah O'Neill**

Signed.....

.....Date... 14 March 2025

**Sarah O'Neill, Chairperson**