



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/24/4144

Re: Property at 10 Sanderling, Lesmahagow, Lanark, ML11 0GX (“the Property”)

Parties:

Mrs Christine Anne Weston and Mr Graham Lloyd Weston, residing at 12 Greenways, Stourbridge, Wordsley, DY8 5HT; 141 Marine Crescent,, Stourbridge, Wordsley, DY8 4XR (“the Applicants”)

Mr Ajith Srambikkal Asokan and Mrs Athira Krishnan Gopalakrishnan, residing at 10 Sanderling, Lesmahagow,, Lanark, ML11 0GX (“the Respondents”)

Tribunal Members:

Andrew Cowan (Legal Member) and Gerard Darroch (Ordinary Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the sum of £1100 is lawfully due by the Respondents and granted an order for payment of that sum, with Interest thereon at the rate of 4.5% per annum, by the Respondents to the Applicants.

Background

1. By an application dated 6th September 2024 the Applicants sought an order for payment of £2320 from the Respondents in respect of rent arrears.
2. A Case Management Discussion (“CMD”) took place by teleconference on 4th April 2025.
3. The Applicants were represented on the conference call by Mr Jack Deane, from Bannatyne Kirkwood France and Company, solicitors.

4. The Respondents did not join the CMD call. The Tribunal were satisfied that the Application, and details of the CMD, had been intimated upon the Respondent by Sheriff Officers on 18th February 2025. The Tribunal was satisfied that the Respondent had been given reasonable notice of the date, time and place of the CMD and that the requirements of rule 24(1) of the First-Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Procedure Rules”) had been duly complied with. In the circumstances the Tribunal proceeded with the application in accordance with rule 29 of those Procedure Rules.
5. At the CMD the Tribunal was able to consider:
 - a. The terms of the tenancy agreement between the parties. The tenancy agreement was a Private Residential Tenancy Agreement in relation to the Property. The tenancy between the parties had commenced 29th August 2023. The monthly rent due in terms of the tenancy agreement between the parties was £550.00 per month.
 - b. A rent statement showing the sum of £2320 as due by the Respondents to the Applicant by way of rent arrears as of 29th June 2024.

Further Information:

6. Mr Deane explained to the Tribunal that the Respondents had payed the arrears of rent due by 27th February 2025. The Respondents had thereafter failed to make payment of rent due on 29th February 2025 and on 29th March 2025. The total rent due and outstanding as at the date of the CMD was £1100. Mr Deane sought an order for payment of the sum of £1100 by the Respondents to the Applicants, together with interest thereon at the rate of 4.5%.

Findings in fact, and in fact and law; reasons for decision

7. The Applicants let the Property to the Respondents in terms of a written tenancy agreement which commenced on 29th August 2023. The monthly rent due in terms of the tenancy agreement between the parties was £550.00 per month.
8. As at the date of this CMD, the Respondents have accrued arrears of rent under the terms of the tenancy agreement between the parties in the sum of £1100.

9. As at the date of this CMD that sum of £1100 remains due and owing by the Respondents to the Applicants in respect of arrears of rent incurred by the Respondents during the term of the tenancy.

Decision

Under rule 17(4) of the Procedure Rules the First-Tier Tribunal may do anything at a case management discussion which it may do at a hearing, including making a decision.

The Tribunal accordingly granted an order for payment by the Respondent to the Applicant in the sum of £1100 with interest thereon at the rate of 4.5% per annum.

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 Cowan

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4th April 2025

Legal Member/Chair

Date