

**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/24/4489**

**Re: Property at 290 Montford Avenue, Glasgow, G73 2EQ (“the Property”)**

**Parties:**

**Mrs Karamjit Kaur, 17 Beltane Street, Wishaw, ML2 0HD (“the Applicant”)**

**Mr Mohammad Shakoor, 290 Montford Avenue, Glasgow, G73 2EQ (“the Respondent”)**

**Tribunal Members:**

**Graham Harding (Legal Member) and Ahsan Khan (Ordinary Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicant was entitled to an order for payment by the Respondent to the Applicant in the sum of £3000.00.**

**Background**

1. By application dated 13 September 2024 the Applicant’s representatives Ness Gallagher, Solicitors, Wishaw applied to the Tribunal for an order for payment in respect of alleged rent arrears arising from the Respondent’s tenancy of the property. The Applicant’s representatives submitted a copy of the tenancy agreement together with a rent statement and bank statements in support of the application.
2. By Notice of Acceptance dated 11 November 2024 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion (“CMD”) was assigned.
3. Intimation of the CMD was served on the Respondent by Sheriff Officers on 25 February 2025.

4. By email dated 29 April 2025 the Applicant's representatives submitted an updated rent statement and bank statements to the Tribunal.

### **The Case Management Discussion**

5. A CMD was held by teleconference on 30 April 2025. The Applicant did not attend but was represented by Mr Thomas Gallagher from the Applicant's representatives. The Respondent did not attend nor was he represented. The Tribunal being satisfied that proper intimation had been given to the Respondent determined to proceed in his absence.
6. Mr Gallagher advised the Tribunal that the rent arrears currently amounted to £6600.00. The Tribunal queried if he was seeking to amend the sum claimed from £3000.00. Mr Gallagher referred the Tribunal to the terms of his application and submitted that this allowed for any sum that might be due at the date of the CMD to be taken into account. The Tribunal referred Mr Gallagher to Rule 14A of the Tribunal's Rules of Procedure and also explained that as the Respondent had not given authority to be contacted by email any correspondence would need to be sent to him by post. It therefore would not have been possible to cross the correspondence sent with Mr Gallagher's email of 29 April to the Respondent in time for the CMD. The Tribunal did not accept that it was sufficient to make a claim in the application for any sum that might be due at the date of the CMD but that the application must have a substantive sum claimed that could be amended in accordance with Rule 14A of the Tribunal's Rules of Procedure if so advised. The Tribunal advised Mr Gallagher that the sum claimed currently before the Tribunal was £3000.00 and if the Applicant wished to amend that amount it would be necessary to submit an application to amend and the CMD would be adjourned to a later date. Mr Gallagher advised the Tribunal he wished to proceed with the claim for £3000.00 and asked the Tribunal to grant an order for payment in that amount together with interest at the rate of 5.5% per annum.
7. The Tribunal queried if there was any contractual basis for the payment of interest and as there did not appear to be, Mr Gallagher withdrew the Applicant's request for the payment of interest.

### **Findings in Fact**

8. The Respondent owed rent of £3000.00 as at 1 September 2024 and this amount was still outstanding at the date of the CMD.

### **Reasons for Decision**

9. The Tribunal was satisfied from the written representations and documents submitted by the Applicant's representatives together with the oral submissions that the Applicant was entitled to an order for payment by the Respondent in the sum of £3000.00.

### **Decision**

10. The Tribunal finds the Applicant entitled to an order for payment by the Respondent to the Applicant in the sum of £3000.00.

### **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.**

**Graham Harding  
Legal Member/Chair**

**30 April 2025  
Date**