



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(10) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/24/4130

Re: Property at 73 Findhorn Street, Dundee, DD4 9PH (“the Property”)

Parties:

Mrs Eleanor Dailly, Mr Mike Dailly, 12 Briarwood Terrace, Dundee, DD2 1NX (“the Applicants”)

Mr Alan Morrell, Clare Gibson, 31 Nursery Street, Forfar, DD8 2HP; 31 Nursery Street, Forfar, DD8 2HP (“the Respondents”)

Tribunal Members:

Graham Harding (Legal Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicants were entitled to an order for payment by the Respondents to the Applicants in the sum of £2686.19.

Background

1. By application dated 3 September 2024 the Applicant’s representatives Rent Locally, Letting Agents, Dundee applied to the Tribunal for an order for payment in respect of alleged rent arrears arising from the Respondents’ tenancy of the property. The Applicants submitted a copy of the tenancy agreement together with a rent statement bank in support of the application.
2. Following further correspondence between the Applicants and the Tribunal administration the sum claimed was increased to £3408.04.

3. By Notice of Acceptance dated 14 November 2024 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion ("CMD") was assigned.
4. Intimation of the CMD was served on the Respondent by Sheriff Officers on 25 February 2025.
5. By email dated 24 February 2025 the Applicant's representatives sought to amend the sum claimed to £2686.19.

The Case Management Discussion

6. A CMD was held by teleconference on 30 April 2025. The Applicants did not attend but were represented by Mrs Laura Wheelan from the Applicants' representatives. The Respondents did not attend nor were they represented. The Tribunal being satisfied that proper intimation had been given to the Respondents determined to proceed in their absence.
7. Mrs Wheelan advised the Tribunal that the rent arrears currently amounted to £2686.19 following the crediting of the Respondents' deposit to the outstanding rent arrears. Mrs Wheelan asked the Tribunal to grant an order for payment in the sum of £2686.19.

Findings in Fact

8. The Respondents owed rent of £2686.19 as at the end of the tenancy as at the end of the tenancy 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 £2686.19.

Decision

10. The Tribunal finds the Applicants entitled to an order for payment by the Respondents to the Applicants in the sum of £2686.19.

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.

G Harding

**Graham Harding
Legal Member/Chair**

**30 April 2025
Date**