

**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/24/4837

Property: 15C Culloden Road, Arbroath, DD11 1LH

Parties:

Mrs Elizabeth McGurk, residing at 30 Elgin Park, Alma Street, Inverkeithing, KY11 1DB ("the Applicant")

Jamie Reading, residing at 15C Culloden Road, Arbroath, DD11 1LH
("the Respondent")

Tribunal Members:

Paul Doyle (Legal Member)
Gerard Darroch (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that an order for payment should be made.

Background

The Applicant sought an order for payment of rental arrears totalling £3,560.90. The Applicant had lodged with the Tribunal Form F. The documents produced included a Private residential tenancy agreement dated 21 January 2022 and a schedule of unpaid rental.

Case Management Discussion

A case management discussion took place by telephone conference at 10.00am on 18 June 2025. The Applicant was represented by Mr S May of Easylets Ltd. The respondent was neither present nor represented. The case file discloses that the respondent has been given timeous notice of the date, time and method of joining the hearing. We can justly determine this application in the respondent's absence.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent entered into a Tenancy Agreement for the Property dated 21 January 2022. In terms of clause 8 of the tenancy agreement the respondent agreed to pay rental at the rate of £375.00 per month.
2. The respondent has not made a full payment of rental since taking entry to the property. He last paid rental in April 2024. At the date of application there were arrears of rent totalling £3,560.90. Today, the rent arrears total £5,810.90.
3. On 23 July 2024 the applicant served a notice to leave on the respondent in terms of s.50 of the Private Housing (Tenancies) (Scotland) Act 2016. On 18 October 2024 the applicant submitted this application to the tribunal.
4. The applicant asks to amend the sum claimed by increasing the sum applied for from £3,485.84.00 to £5,810.90 in terms of rule 14A of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017. That application is unopposed.
5. The application was amended so that the sum applied for is £5,810.90.
6. The respondent has not made a full payment of rent since April 2024, so that at the date of application there were more than nine months arrears of rental. At today's date rental payments are more than 15 months in arrears. The respondent owes the applicant £5,810.90.
7. The respondent offers no resistance to the application for a payment order
8. For the foregoing reasons, the Tribunal determined to make an Order for payment. The Tribunal makes an order for payment of £5,810.90.

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.

P. Doyle

Legal member of the tribunal
Dated: 18 June 2025