



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

Chamber Ref: FTS/HPC/CV/24/5236

Re: Property at 1F Castle Meadow, Ellon, AB41 9JL (“the Property”)

Parties:

**Create Homes Aberdeenshire LLP, Woodhill House, Westburn Road, Aberdeen,
AB16 5GE (“the Applicant”)**

**Miss Sophie Henderson, 17 Aulton Lane, Cruden Bay, Peterhead, AB42 0QW
 (“the Respondent”)**

Tribunal Members:

Gillian Buchanan (Legal Member)

Decision (in absence of the Respondent)

At the Case Management Discussion (“CMD”), which took place by telephone conference on 29 May 2025, the Applicant was represented by Ms Julia Leonard of Aberdeenshire Council. The Respondent was neither present nor represented and had lodged no written representations.

The tribunal was satisfied that the requirements of Rule 24(1) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”) had been satisfied relative to the First Respondent having received notice of the CMD and determined to proceed in the absence of the Respondent in terms of Rule 29.

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that –

Background

Background

The Tribunal noted the following background:-

- i. The Applicant leased the Property to the Respondent in terms of a Private Residential Tenancy Agreement (“the PRT”) that commenced on 1 April 2024.
- ii. The rent payable in terms of the PRT was agreed to be £136.15 per week.
- iii. The deposit paid in terms of the PRT was agreed to be £590.

- iv. The Respondent vacated the Property on 7 June 2023.
- v. The rent arrears due as at the date of the application were £725.56.

The CMD

At the CMD Ms Leonard for the Applicant made the following representations:-

- i. There had been no contact from the Respondent.
- ii. The deposit had been offset against the arrears of rent due which left the sum of £725.56 still outstanding.
- iii. An order for payment of £725.56 is sought.

Findings in Fact

- i. The Applicant leased the Property to the Respondent in terms of a Private Residential Tenancy Agreement ("the PRT") that commenced on 1 April 2024.
- ii. The rent payable in terms of the PRT was agreed to be £136.15 per week.
- iii. The deposit paid in terms of the PRT was agreed to be £590.
- iv. The Respondent vacated the Property on 7 June 2023.
- v. After offsetting the deposit the rent arrears still due by the Respondent to the Applicant are £725.56.

Reasons for Decision

The Respondent did not submit any representations to the Tribunal and did not attend the CMD. The factual background narrated by the Applicant within the application papers and orally by Ms Leonard at the CMD was not challenged and was accepted by the Tribunal.

The Tribunal determined that the unpaid rent still due is £725.56.

Decision

The Tribunal granted a payment order against the Respondent in favour of the Applicant in a sum of £725.56.

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.

Gillian Buchanan

Legal Member/Chair

29 May 2025
Date