

**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 of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/24/5436**

**Property : 20 Blackhill Brae, Crossgates, Fife KY4 8AX (“Property”)**

**Parties:**

**LAR Housing Trust, F3 Buchan House, Carnegie Campus, Enterprise Way, Dunfermline KY11 8PL (“Applicant”)**

**TC Young, Solicitors, 7 West George Street, Glasgow G2 1BA (“Applicant’s Representative”)**

**Jamie Forsyth, 20 Blackhill Brae, Crossgates, Fife KY4 8AX (“Respondent”)**

**Tribunal Members:**

**Joan Devine (Legal Member)**

**Eileen Shand (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £4,902.36 should be made together with interest thereon at the rate of 4%.**

The Applicant sought an order for payment of £1,330.54 together with interest thereon at 8% in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Private Tenancy Agreement which commenced on 29 June 2023; a statement of rent arrears and rent increase notice. The Application was served on the Respondent by sheriff officer on 29 April 2025. On 2 July 2025 the Applicant’s Representative lodged an updated statement of arrears along with copy letter to the Respondent dated 2 July 2025 intimating the updated statement of arrears.

**Case Management Discussion (“CMD”)**

A CMD took place before the Tribunal on 17 July 2025 by teleconference. Simone Callaghan of the Applicant’s Representative was in attendance. The Respondent was not in attendance.

Ms Callaghan told the Tribunal that the Respondent had told the Applicant that he had trouble paying the rent due to a change in his job which impacted his finances. He also

said his bills had increased. She said that the Applicant made a right of entry application and having entered the Property it appeared to them that the Respondent was not living in the Property although his belongings were still there. Ms Callaghan told the Tribunal that the Applicant was in touch with the Respondent on 1 July 2025 and he told them he had moved out of the Property but he has not returned the keys. Ms Callaghan said that no element of the rent was paid by benefits.

### **Findings in Fact**

The Tribunal made the following findings in fact:

1. The Applicant and the First Respondent entered into a Tenancy Agreement which commenced on 29 June 2023.
2. In terms of the Tenancy agreement the rent was £491.10 per month.
3. The rent increased to £510.26 per month with effect from 1 August 2024.
4. The Respondent failed to pay the rent in full for the period 1 October 2023 to 1 June 2025. The unpaid amount was £4,902.36.

### **Reasons for the Decision**

The Tribunal allowed the sum claimed to be amended to £4,902.36. Thereafter the Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £491.10 per month. The rent was increased to £510.26 per month with effect from 1 August 2023. The First Respondent failed to pay the rent in full for the period 1 October 2023 to 1 June 2025. The unpaid amount was £4,902.36. The Tribunal considered that it was reasonable to award interest on the sum due at the rate of 4%

### **Decision**

The Tribunal grants an order for payment of £4,902.36 together with interest thereon at the rate of 4%.

### **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.**

# Joan Devine

**Joan Devine**  
**Legal Member**

**Date : 17 July 2025**