



**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/24/3094

**Re: Property at 20 North Bank Street, Monifieth, Angus, DD5 4LN (“the
Property”)**

Parties:

**CRS Scotland Ltd., Stannergate House, 41 Dundee Road West, Broughty Ferry,
Dundee, DD5 1ND (“the Applicant”)**

**Mr John Barr, 41 Ashton Terrace, Strathmartine, Dundee, DD3 0RJ (“the
Respondent”)**

Tribunal Member:

Martin McAllister (Legal Member) (“the tribunal”)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order of payment be made requiring the
Respondent to pay the sum of SIX THOUSAND ONE HUNDRED AND TWENTY
TWO POUNDS and 6 pence (£6122.06) to the Applicant.**

Background

1. This is an application for payment of £969.20 in respect of rent arrears.
2. A case management discussion was held by teleconference on 2 April 2025 at which the Applicant’s representative, Mr Barton, intimated that the arrears of rent had increased to £6122.06. He advised that the tenancy was terminated on 28 March 2025 and that the sum of £6122.06 represented the net rent due at that date.
3. There was no appearance by the Respondent.

4. The terms of Rule 14 A of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 were considered and the case management discussion was continued to allow the Applicant to amend the sum sought to £6122.06.

The case management discussion on 2 July 2025

5. A case management discussion was held by audio conference on 2 July 2025. Mr Gavin Barton of Ferry Lettings represented the Applicant.
6. There was no appearance by the Respondent and the tribunal was satisfied that intimation of the arrangements for the case management discussion had been intimated to him.
7. Mr Barton requested that the application be amended to reflect the sum owed by the Respondent which was £6122.06. He referred to an email which he had submitted to the Tribunal on 4 June 2025 in which he requested this.
8. Mr Barton said that the Applicant's intention to seek an order of payment for £6122.06 was intimated to the Respondent by email which was his preferred means of communication. He referred to a copy of a letter addressed to the Respondent dated 12 May 2025 which he had submitted to the Tribunal.
9. The letter of 12 May 2025 stated that the Applicant was seeking £6122.06 from the Respondent. Mr Barton said that, on 12 May 2025, he and his assistant had called on the Respondent at 41 Ashton Terrace, Strathmartine Dundee and had delivered a copy of the letter to him. Mr Barton said that the Respondent made no offer to enter into an arrangement to pay the sum due and said that, during the tenancy, he had a history of non engagement with the letting agent.

Determination on request to amend the sum due

10. The tribunal amended the sum sought to £6122.06, having been satisfied that the terms of Rule 14 A had been met and that the Respondent had received intimation of the amendment which was sought.
11. Mr Barclay invited the tribunal to determine the matter without a Hearing and to issue an order for payment.

12. Findings in Fact

- (i) The Applicant and the Respondent entered into a short assured tenancy agreement in respect of the Property on 30 September 2014.
- (ii) The tenancy commenced on 1 October 2024.

- (iii) The monthly rent due under the tenancy agreement is £565.
- (iv) The tenancy terminated on 28 March 2025.
- (v) The rent arrears due as at 28 March 2025 were £6122.06.

13. Documents before Tribunal

- (i) Short assured tenancy agreement dated 30 September 2025.
- (ii) Rent statement.
- (iii) Letter sent to Respondent and dated 12 May 2025.

Reasons for Decision

- 14. The tribunal was satisfied that the Respondent had not fulfilled his contractual obligation to pay rent in respect of his tenancy of the Property.
- 15. The tribunal was satisfied that there was no further evidence on the application which was required before it made its determination and it therefore saw no reason to fix a Hearing.
- 16. The Respondent had chosen not to engage with the Tribunal process.

Decision

- 17. The tribunal determined that the application be granted and that an order of payment be made in the sum of £6122.06.

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.

M McAllister

Legal Member

Date: 2 July 2025