



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

Chamber Ref: FTS/HPC/CV/24/5361

Re: Property at 56 Sutherland Crescent, Hamilton, ML3 9SJ (“the Property”)

Parties:

**Mr Donald Heads, Katrina Heads, 1 Lerrocks Farm Cottage, Argaty, Doune,
Perthshire, FK16 6EJ (“the Applicants”)**

**Mr Robert James Kennedy Hall, 56 Sutherland Crescent, Hamilton, ML3 9SJ
 (“the Respondent”)**

Tribunal Members:

Josephine Bonnar (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order for payment for the sum of £7902.88 should
be granted against the Respondent in favour of the Applicants.**

Background

1. The Applicants lodged an application for a payment order in terms of Section 71 of the 2016 Act in relation to unpaid rent. A tenancy agreement and rent statement were lodged with the application. A related application for an eviction order was also lodged but later withdrawn when the Respondent vacated the property.
2. A copy of the application was served on the Respondent by Sheriff Officer before he vacated the property and the parties were notified that a case management discussion (“CMD”) would take place by telephone conference call on 9 July 2025 at 10am and that they were required to participate. Prior to the CMD the Applicants lodged an updated rent statement.

3. The CMD took place on 9 July 2025. The Applicant was represented by Mr Deane. The Respondent did not participate and was not represented.

Summary of Discussion at CMD

4. Mr Deane said that Respondent's current address is unknown. He confirmed that sum specified in the updated rent statement - £7902.88 – is still outstanding. The Respondent paid a tenancy deposit of £1073 at the start of the tenancy. It is still with Safe Deposit Scotland who have not yet made a decision in relation to repayment. Mr Deane said that the Applicants seek a payment order for the updated sum with interest at 4.25%.

Findings in Fact

5. The Applicants are the owners and landlords of the property.
6. The Respondent was the tenant of the property in terms of a private residential tenancy agreement. He vacated the property on 22 April 2025.
7. The Respondent was due to pay rent at the rate of £775 per month.
8. The Respondent failed to pay rent between 17 June 2024 and the end of the tenancy.
9. The Respondent owes the sum of £7902.88 in unpaid rent.

Reasons for Decision

10. From the documents lodged with the application, and the information provided at the CMD, the Legal Member is satisfied that the Respondent owes the sum of £7902.88 in unpaid rent and that the Applicants are entitled to a payment order for this sum. The Legal Member is also satisfied that the Applicants are entitled to interest at the rate of 4.25% from the date of the decision until payment in terms of Rule 41A of the Tribunal Procedure Rules 2017.

Decision

11. The Tribunal determines that a payment order should be granted against the Respondent.

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.

Legal Member

Date: 9 July 2025

Josephine Bonnar