



**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/25/0874**

**Re: Property at 74A High Street, Forres, Moray, IV36 1PQ (“the Property”)**

**Parties:**

**Alison Patricia Laing, Jacqueline Sandra Laing, Alison Patricia Laing as  
exectuor dative for the late Susan Elizabeth Laing, 39 Wallfield Crescent,  
Aberdeen, AB25 2LB; 10 Eday Square, Aberdeen, AB15 6NF; 39 Wallfield  
Crescent, Aberdeen, AB25 2LB (“the Applicant”)**

**Miss Ashleigh Milne, 74A High Street, Forres, Moray, IV36 1PQ (“the  
Respondent”)**

**Tribunal Members:**

**Ewan Miller (Legal Member) and Frances Wood (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the Applicant should be granted an Order for  
Payment against the Respondent for rent arrears due in the sum of NINE  
THOUSAND FIVE HUNDRED AND TWENTY POUNDS (£9520) together with  
interest at the rate of 8% per annum**

**Background**

The Applicant’s were the owners of the Property. They had let it to the Respondent under a Private Residential Tenancy on 24 January 2024. They alleged that from 24 April 2024 the Respondent had failed to pay the rent due under the lease of the Property. As at 30 July 2025 they alleged that the rent arrears amounted to £9,520. The Applicant sought a payment order against the Respondent for the outstanding amount together with interest as specified in the lease of the Property

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

The Tribunal held a CMD by teleconference on 13 August 2025 at 10am. The Tribunal comprised Mr Ewan Miller (Legal Member & Chair) and Mrs Frances Wood (Ordinary Member). The Applicant was represented on the call by Mr Jackson Deane of Messrs Bannantyne, Kirkwood & France, Solicitors, Glasgow. The Respondent was neither present nor represented.

The Tribunal had before it the following papers:-

- Application to the Tribunal by the Applicant dated 27 February 2025;
- Copy Private Residential Tenancy between the Applicant and the Respondent of the Property from 24 January 2024;
- Papers relating to the confirmation of Alison Laing of the Applicants as Executor Dative of Susan Laing;
- Rent Arrears Schedule brought down to 30 July 2025.

### **Findings in Fact**

The Tribunal found the following facts to be established:-

- The Applicant had leased the Property to the Respondent under a Private Residential Tenancy commencing 24 January 2024;
- The rental was £595 per calendar month;
- The Respondent had paid 3 months rent at the start of the tenancy;
- The Respondent had paid no rent since 24 April 2024;
- There were arrears outstanding as at 30 July 2025 of £9520;
- The lease provided for interest to be charged at 8 per cent per annum on any arrears of rent under the tenancy.

### **Reasons for Decision**

The Tribunal had before it a rent statement that showed that the Respondent had paid the first three months rent upon taking occupation. The statement showed that no rental payments had been made since April 2024 and that arrears had accrued to the sum of £9,520 by 30 July 2025. The Tribunal had no reason to doubt the veracity of the rent statement presented. The Respondent had not communicated in any way with the Tribunal to challenge or dispute the amounts due. On the balance of probabilities, the Tribunal was satisfied that the rent arrears were outstanding and due. The Tribunal noted that the lease contained a contractual provision allowing interest to be charged at the rate of 8 per cent per annum.

### **Decision**

The tribunal determined that there were outstanding rent arrears of £9,520 and that an Order for Payment for that amount should be granted to the Applicant against the Respondent for that sum together with interest at the rate of 8% per annum

## **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.**

**Ewan Miller**

---

**Legal Member/Chair**

**13<sup>th</sup> August 2025**

---

**Date**