



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 71(1) of the Private Housing  
(Tenancies)(Scotland) Act 2016**

Reference number: FTS/HPC/CV/24/4857

Order granted on 14 August 2025 in absence of the Respondents

Property: 36 Target Road, Airdrie, North Lanarkshire, ML6 9PY

Parties:

Robert Johnston and Lee Robert Johnston residing at 30 Oakbank Street, Airdrie, ML6 8LE  
("the Applicants")

James McPherson and Andrew McPherson residing at 36 Target Road, Airdrie, North Lanarkshire, ML6 9PY ("the Respondents")

**Tribunal Members:**

**Paul Doyle (Legal Member)**  
**Elizabeth Williams (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that an order for payment should be made.**

**Background**

1. The Applicants seek an order for payment of arrears of rental. The Applicant had lodged with the Tribunal Form F. The documents produced included a Tenancy Agreement and a schedule of unpaid rental.

2. By interlocutor date 04/04/2025, the application was referred to this tribunal. On 01/07/2025 the First-tier Tribunal for Scotland (Housing and Property Chamber) served notice of referral on both parties, directing the parties to make any further written representations.

### **Case Management Discussion**

3. A Case Management Discussion took place before the Tribunal by telephone conference at 10.00am on 14/08/2025. The second Applicant was present and unrepresented. Neither of the Respondents were present nor were they represented.

### **Preliminary Matter**

4. The arrears of rental have increased since the application was submitted. The Applicants ask to amend the sum claimed by increasing the sum applied for to £6,450.00 in terms of rule 14A of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017. That application is unopposed.

5. The sum applied for is amended to £6,450.00.

### **Findings in Fact**

6. The Tribunal made the following findings in fact:

(a) The Applicant and the Respondent entered into a Tenancy Agreement for the Property on 22/01/2022. In terms of clause 7 of the tenancy agreement the respondent agreed to pay rental at the rate of £430.00 per month.

(b) The Respondents have allowed rent arrears to accumulate since December 2023. When the application was submitted there were rent arrears of £4,630.00. Today, the rent arrears total £6,450.00.

(c) On 24/04/2024 the Applicants served a notice to leave on the Respondents in terms of s.50 of the Private Housing (Tenancies) (Scotland) Act 2016. On 21/10/2024 the Applicants submitted this application to the tribunal.

(d) At the date of application there were more than ten months arrears of rental. At today's date the rental is 15 months in arrears.

(e) The Respondents do not dispute that they owe the Applicants £6,450.00.

### **Reasons for the Decision**

7. It is not disputed that the Respondents owe the Applicants £6,450.00 in arrears of rental, and so the Tribunal determined to make an Order for payment.

8. The Tribunal makes an order for payment of £6,450.00.

## **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.**

**Paul Doyle**

Legal member of the tribunal  
Dated: 14 August 2025