

Housing and Property Chamber
First-tier Tribunal for Scotland



**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) 2016 Act**

Chamber Ref: FTS/HPC/CV/25/0214

Re: Property at 1A Longsdale Terrace, Oban, PA34 5JS (“the Property”)

Parties:

James Fraser, 36 Riverside Way, Leven, KY8 4FH (“the Applicant”)

**Gurdit Singh, Jasbir Kaur, 30 Portland Street, Edinburgh Scotland, EH6 4BE
 (“the Respondents”)**

Tribunal Members:

Joel Conn (Legal Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

Background

1. This is an application by the Applicant for civil proceedings in relation to a private residential tenancy in terms of rule 111 of the *First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017* as amended (“the Rules”), namely an order for payment of rent arrears due in a PRT against joint tenants. The PRT in question was by the Applicant to the Respondents commencing on 26 February 2024 and said to have concluded on 18 November 2024. (The papers suggest that there had been occupation under earlier tenancy agreements though nothing appears to turn on any such earlier agreements.)
2. The application was dated 7 January 2025 and lodged with the Tribunal on 20 January 2025. The application sought payment of arrears of £848.63 said to be due by the Respondents in regard to the concluded tenancy. It was accompanied by a rent statement dated 10 December 2024 showing a balance due of £848.63, made up of £750 due on 15 October 2024 and £98.63 said to

be due on 15 November 2024 (which appeared to be a pro-rated amount for the final days of the Tenancy). The lease for the Tenancy accompanied the application and it detailed a rental payment of £750 payable in advance on the 15th of each month.

The Hearing

4. The matter called for a case management discussion ("CMD") of the First-tier Tribunal for Scotland Housing and Property Chamber, conducted by remote telephone conference call, on 30 July 2025 at 14:00. I was addressed by Caitlin Leonard, Property Asset Manager, Robb Residential. There was no appearance from either Respondent.
5. I was informed by the clerk that no contact had been received from the Respondents (or on their behalf). The Applicant's agent confirmed that after the conclusion of the Tenancy she had continued to email the Respondents chasing the arrears but had received no response. She had not emailed them since around December 2024 and had received no further contact from them. Having not commenced the CMD until around 14:15, and having seen evidence of valid intimation by Sheriff Officers upon both Respondents, I was satisfied to consider the application in the Respondents' absence. In any case, no attempt was made by the Respondents (nor anyone on behalf of either) to dial in late to the CMD.
6. The Applicant's agent assisted me with a review of the application papers and I noted the provisions in the Tenancy Agreement for the passing rent and that the £98.63 was a pro-rated amount for four final days (15 to 18 November 2024). I was told that a deposit was lodged under the Tenancy of £1,125 but that the Applicant had uplifted this and applied it against the costs of dilapidations and repair of damage, with no balance remaining to set against the arrears (but no additional claim currently sought for any excess cost of dilapidations). The Applicant's agent stated that the Tenancy had come to an end on 18 November 2024.
7. No motion was made for expenses or interest.

Findings in Fact

8. On or about 21 February 2024 the Applicant let the Property as a Private Residential Tenancy to the Respondents under a lease with commencement on 26 February 2024 ("the Tenancy").
9. In terms of the Tenancy Agreement, the Respondents required to pay rent of £750 a month in advance on the 15th day of each month.
10. The Tenancy terminated on 18 November 2024 with the Respondents vacating on that date.

11. Rent arrears due to 18 November 2024 amounted to £848.63 being unpaid rent for 15 October to 14 November 2024 of £750 and unpaid rent for the pro-rated period from 15 to 18 November 2024 of £98.63.
12. The total arrears remaining due to conclusion of the Tenancy are £848.63 which balance remains due as of 30 July 2025.
13. The Respondents received intimation of the date of the CMD by Sheriff Officer's service on 6 June 2025.

Reasons for Decision

14. The application was in terms of rule 111, being an order for civil proceedings in relation to a PRT. I was satisfied, on the basis of the application and supporting papers that there were rent arrears of £848.63 for the period to conclusion of the Tenancy on 18 November 2024. I was satisfied with the arithmetic in the rent statement provided by the Applicant's agent and noted that there was no material dispute intimated by the Respondents, neither of whom had sought to enter appearance.
15. I was thus satisfied that the necessary level of evidence for these civil proceedings had been provided for an order of £848.63 and there was no relevant dispute made to this sum.
16. I shall make a decision to award the sum of £848.63 against the Respondents, jointly and severally, being an order for rent arrears under the Tenancy to the termination date of 18 November 2024.

Decision

17. In all the circumstances, I was satisfied to make the decision to grant an order against the Respondents for payment of £848.63.

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.

J Conn

30 July 2025

Legal Member/Chair

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Date