

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**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**

**Chamber Ref: FTS/HPC/CV/25/2961**

**Re: Property at 35 Dryburgh Avenue, Denny, FK6 6AG (“the Property”)**

**Parties:**

**Mrs Judith Ann Bentinck, Mr Timothy Charles Bentinck, 3 Stock Orchard Cres, London, N7 9SL (“the Applicant”)**

**Ms Laura McMenamy, 35 Dryburgh Avenue, Denny, FK6 6AG (“the Respondent”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member) and Elaine Munroe (Ordinary Member)**

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

**[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicants against the Respondent in the sum of £4,297.89.**

**Background**

[2] The Applicants seek a Payment Order in respect of rent arrears said to be lawfully due by the Respondent to the Applicants under a tenancy between the parties.

[3] The Application is accompanied by a copy of the tenancy agreement and rent statements.

**Case Management Discussion**

[4] The Application called for a Case Management Discussion (“CMD”) by conference call at 2pm on 5 August 2025. The Applicants were represented by their letting agent, Ms McCulloch. There was no appearance by or on behalf of the Respondent. Service of the Application had been competently effected on the Respondent by Sheriff Officers. The Tribunal therefore decided to proceed in the Respondent’s absence. Having heard from Ms McCulloch, the Tribunal made the following findings in fact.

### **Findings in fact**

1. The Parties entered into a tenancy agreement in terms of which the Applicants let the Property to the Respondent;
2. The sum of £ 4,297.89 is currently lawfully due as rent arrears by the Respondent to the Applicants.

### **Decision**

[5] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicants against the Respondent in the sum of £4,297.89 .

### **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.**

Andrew McLaughlin

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Legal Member/Chair

5 August 2025  
Date