

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/24/4893

Property : 13D Hindmarsh Avenue, Dundee DD3 7LT (“Property”)

Parties:

Colin Brown and Janice Brown, 48 Nesbitt Street, Dundee DD4 7HW (“Applicant”)

Struan Baptie Property Management Ltd, 1A Victoria road, Dundee DD1 1EL (“Applicant’s Representative”)

Stevie Harvey, PRESENT WHEREABOUTS UNKNOWN (“Respondent”)

Tribunal Members:

Joan Devine (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £1,595.31 should be made.

The Applicant sought an order for payment of £1,987.50 in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Private Tenancy Agreement which commenced on 8 August 2022; a statement of rent arrears and correspondence between the Parties regarding the arrears. The application was served on the Respondent by advertisement on the Tribunal website between 26 April and 29 July 2025.

Case Management Discussion (“CMD”)

A CMD took place before the Tribunal on 29 July 2025 by teleconference. Melissa Coleman of the Applicant’s Representative was in attendance. The Respondent was not in attendance. Ms Coleman told the Tribunal that the Respondent left the Property on 11 November 2024. She said that the rent due for the period 1 November to 11 November 2024 was £232.81. That brought the arrears to £2,220.31. She said a deposit had not been returned of £625. Once that was deducted from the arrears the balance due is £1,595.31. She confirmed that the present whereabouts of the Respondent is unknown.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant entered into the Tenancy Agreement with the Respondent for the Property which commenced on 8 August 2022.
2. In terms of the Tenancy agreement the rent was £625 per month.
3. The rent increased to £643.75 per month with effect from 1 September 2023.
4. The Respondent failed to pay the rent in full for the period 1 January 2023 to 1 November 2024. The unpaid amount was £2,220.31.
5. A deposit was applied to the arrears leaving a balance due of £1,595.31.

Reasons for the Decision

The Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £625 per month. This was increased to £643.75 per month with effect from 1 September 2023. The Respondent failed to pay the rent in full for the period 1 January 2023 to 1 November 2024. The unpaid amount was £1,595.31.

Decision

The Tribunal grants an order for payment of £1,595.31 together with interest .

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.

Joan Devine

**Joan Devine
Legal Member**

Date : 29 July 2025