

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) Act 2016

Chamber Ref: FTS/HPC/CV/24/5405

Property : 6 Dasher Gardens, Ardrossan KA22 7NN (“Property”)

Parties:

Cameron Conaghan, 31 Keir Hardie Drive, Ardrossan KA22 8PA (“Applicant”)

Taylor & Henderson, Solicitors, 51 Hamilton Street, Saltcoats KA21 5DX (“Applicant’s Representative”)

Michelle Reid, 20 Fitzsimmons Wynd, Ardrossan KA22 7NN (“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 £3,870 should be made.

The Applicant sought an order for payment of £3,225 in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement which commenced on 4 September 2015 and a statement of rent arrears. By email dated 6 January 2025 the Applicant’s Representative told the Tribunal that the arrears had increased to £3,870. The Application was served on the Respondent by sheriff officer on 15 April 2025. By email dated 24 June 2025 the Applicant’s Representative told the Tribunal that the Respondent vacated the Property on 12 June 2025.

Case Management Discussion (“CMD”)

A CMD took place before the Tribunal on 23 July 2025 by teleconference. Martha Thomson of the Applicant’s Representative was in attendance. The Respondent was not in attendance. Ms Thomson told the Tribunal that the Respondent had vacated the Property on 12 June 2025. She said there had been no recent contact from the Respondent regarding the arrears. The Tribunal noted that the sum claimed was for the period July to December 2024 and that there had been no application to amend to increase the sum sought. Ms Thomson told the Tribunal that the rent had not been paid for the period January to June 2025. In response to a query from the Tribunal Ms

Thomson had told the Tribunal that at the date on which the applicant acquired title to the Property rent was being paid at the rate of £645 per month.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent entered into a Tenancy Agreement which commenced on 4 September 2015.
2. In terms of the Tenancy agreement the rent was £575 per month.
3. The Applicant acquired title to the Property on 5 July 2023.
4. When the Applicant acquired title to the Property the rent was £645 per month and was being paid at that level.
5. The Respondent failed to pay the rent in full for the period 9 July 2024 to 9 December 2024. The unpaid amount was £3,870.

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 £575 per month. At the time the Applicant acquired title to the Property the rent was £645 per month and was being paid at that level. The Respondent failed to pay the rent in full for the period 9 July 2024 to 9 December 2024. The unpaid amount was £3,870.

Decision

The Tribunal grants an order for payment of £3,870.

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 Devine

**Joan Devine
Legal Member**

Date : 23 July 2025