



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/25/0498

Re: Property at 53 Highfield Crescent, Motherwell, ML1 4BN (“the Property”)

Parties:

Mr James Smith, 89 North Orchard Street, Motherwell, ML1 3JL (“the Applicant”)

**Mr Liam Lawry, 53 Highfield Crescent, Motherwell, ML1 4BN (“the
Respondent”)**

Tribunal Members:

Nairn Young (Legal Member) and Tony Cain (Ordinary Member)

Decision (in absence of the Respondent)

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

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent in terms of his short assured tenancy agreement with the Applicant. It called for a case management discussion (‘CMD’) at 10am on 23 July 2025, by teleconference. The Applicant was represented on the call by Mr Gildea, of John Jackson & Dick, solicitors. The Respondent was not on the call and was not represented. The commencement of the CMD was delayed by 10 minutes, in case of any technical difficulty; but there remained no contact from him.

Notice of the application and the CMD were served on the Respondent by sheriff officers on 5 June 2025. The Tribunal were therefore satisfied that the Respondent was aware of the matter and had chosen not to defend it; and that it was therefore fair to proceed in his absence.

- Findings in Fact

The following facts from the application were relied on by the Tribunal, as unopposed:

1. The Respondent entered into a short assured tenancy agreement with the Applicant in respect of the Property, with an initial term of 23 February 2017 to 23 August 2017.
2. In terms of that agreement, rent of £370 was due every month.
3. The tenancy has run on after the initial term by tacit relocation.
4. At the date of the CMD, the Respondent owed £6,097.45 in rent.

- Reasons for Decision

The Applicant applied to amend the application to seek the sum of £6,297.45, by email on 12 June 2025, which was also sent to the Respondent. No opposition to the amendment was made by the Respondent. On the day of the CMD, the Applicant's representative confirmed that that sum had subsequently reduced, due to a payment of £200. The Tribunal was happy to allow the Respondent to amend the application to the lower sum, on the basis that there was no prejudice to the Respondent in doing so.

Thereafter, it granted the order for payment in the revised amount. The Respondent owes the sum sought to the Applicant. An order for payment of that amount should therefore be made.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of SIX THOUSAND AND NINETY-SEVEN POUNDS AND FORTY-FIVE PENCE STERLING (£6,097.45).

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.

N Young

Nairn Young
Legal Member/Chair

— 23rd July 2025
Date