



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 2014 (“the Act”) and Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)

Case reference FTS/HPC/CV/24/5317

Parties

LAR Housing Trust F3 Buchan House, Enterprise Way, Dunfermline, KY11 8PL (“the Applicant”) per their agents TC Young, solicitors, 7 West George Street Glasgow, G2 1BA (“the Applicant’s Agents”)

Mr William Tytler residing some time at 7A Petendreia Court, Bonnyrigg, Midlothian, EH19 2AF and now at 55, Campview Road, Bonnyrigg, Midlothian EH19 3ES (“the Respondent”)

Property : 7A Petendreia Court, Bonnyrigg, Midlothian, EH19 2AF

Tribunal Member:

Karen Moore (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an Order for payment in the sum of THREE THOUSAND TWO HUNDRED AND TWENTY SIX POUNDS AND EIGHTY FIVE

PENCE (£3,226.85) sterling be granted together with interest thereon from the date hereof at the rate of EIGHT per centum per annum (8%).

Background

1. By application received on 19 November 2025 ("the Application"), the Applicant's Agents on behalf of the Applicant applied to the Tribunal for a payment order requiring the Respondent to make payment of £3,631.60 being rent due by him arising from a tenancy of the Property. The Application also sought interest on the sum due at the rate of 8 % per annum. The Application comprised a copy of a private rented tenancy agreement between the Parties, copy statements of rent due and owing by the Respondent, copy rent increase notices, copy correspondence from the Applicant to the Respondent in satisfaction of the pre-action requirements.
2. The Application was accepted by the Tribunal and a Case Management Discussion (the "CMD") was fixed for 7 August 2025 at 14.00 by telephone conference. This CMD was intimated to the Parties, and, in particular, was served on the Respondent by Sheriff Officer on 24 June 2024.

CMD

3. The CMD took place on 7 August 2025 at 14.00 by telephone conference by telephone. The Applicant did not take part and was represented by Ms. K. Donnelly of the Applicant's Agents. The Respondent did not take part and was not represented. He did not submit written representations.
4. Ms. Donnelly advised the Tribunal that the Applicant had recouped the tenancy deposit and so the sum sought had reduced to ££3,226.85. Ms. Donnelly stated that, far as she was aware, around the time of service of the Application on him, the Respondent had contacted the Applicant to offer to repay the sum due at £50.00 per month. However, no payments have been forthcoming and the Applicant has since been unsuccessful in contacting the Respondent further.

Findings in Fact

5. From the Application and the CMD, the Tribunal made the following findings in fact,:-

- i) There had been a tenancy of the Property between the Parties;
- ii) The Respondent accrued rent arrears of £3,631.60;
- iii) The tenancy deposit lodged by the Respondent was reclaimed by the Applicant reducing the rent arrears to £3,226.85 which sum is currently due and owing;
- iv) The Applicant has carried out the correct procedures and is entitled to an Order for £3,226.85.

Decision and reasons for the decision

6. The Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal “may do anything at a case management discussionincluding making a decision” Having found in fact that the Respondent is due and owing to the Applicant for the sum of £3,226.85, the Tribunal proceeded to make an order for payment in this sum. Interest on the sum due at the rate of 8 % per annum was intimated in the Application and so the Tribunal granted the Order in this respect.

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.

Karen Moore

Legal Member/Chair

7 August 2025

Date