



**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/24/1159**

**Re: Property at 30 James Murdie Gardens, Hamilton, ML3 0RT (“the Property”)**

**Parties:**

**Mrs Neila Sarwar and Mr Sachin Patel, 9 Mossneath Crescent, Glasgow, G71 7UY; 9 Mossbeath Crescent, Glasgow, G71 7UY (“the Applicants”)**

**Mrs Ashley Russell, 30 James Murdie Gardens, Hamilton, ML3 0RT (“the Respondent”)**

**Tribunal Members:**

**George Clark (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be dismissed.**

**Background**

1. By application, dated 11 March 2024, the Applicants sought an Order for Payment in respect of unpaid rent that had become due by the Respondent to the Applicants. The sum sought was £3,274.50.
2. The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Applicants as landlords and the Respondent and Mr Stuart Russell as tenants, commencing on 19 November 2019 at a rent of £650 per month, and a Rent Statement showing arrears as at 11 March 2024 of £3,274.50.
3. On 7 March 2025, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondent was invited to make written representations by 28 March 2025. The Respondent did not make any written representations to the Tribunal.

4. A Case Management Discussion scheduled for 17 April 2025 was postponed at the request of the Applicants and a new date was set for 17 July 2025. Letters intimating the date and time of the Case Management Discussion were sent to the Parties on 3 June 2025. The letter to the Respondent was sent by Recorded Delivery and was signed for on 9 June 2025.

#### **Case Management Discussion**

5. A Case Management Discussion was held by means of a telephone conference call on the morning of 25 June 2025. Neither Party was present or represented.

#### **Reasons for Decision**

6. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision.
7. The Tribunal decided that in the absence of any confirmation as to whether the sum sought remained outstanding, the application must be dismissed.

#### **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.**

**G Clark**

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**Legal Member/Chair**

**17 July 2025**  
**Date**