

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) Act 2016

Chamber Ref: FTS/HPC/CV/25/0374

Re: Property at 46 Merkland Lane, Aberdeen, AB24 5RN (“the Property”)

Parties:

Mr Colin Hainey, 26 Moston Terrace, Edinburgh, EH9 2DE (“the Applicant”) and

Belvoir Aberdeen, 24 Rosemount Place, Aberdeen, AB25 2XU (“the Applicant’s Representative”) and

Mr Tarun Thangavelu Ravindran, 48 Hopetoun Avenue, Bucksburn, Aberdeen, AB21 9QU (“the Respondent”)

Tribunal Member:

G McWilliams- Legal Member

Decision in absence of the Respondent

Background

- 1. The Applicant has applied under Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the 2017 Rules”) (Application for civil proceedings in relation to a private residential tenancy) for an order for payment in respect of rent arrears.**

Case Management Discussion

- 2. A Case Management Discussion (“CMD”) proceeded remotely by telephone conference call at 2.00pm on 18th September 2025. The Applicant’s Representative’s Mrs A Spence attended. The Respondent, Mr Ravindran, did not attend and was not represented. The Tribunal noted that Sheriff Officers intimated the Application, and effected notification of the CMD, to Mr Ravindran, by personally serving the relevant papers on him at his above address on 12th August 2025.**

3. Mrs Spence referred to the Application and in particular the rent statement that the Representative had lodged. She stated that the amount of rent arrears sought in the Application, of £2,910.41, had been reduced after deposit monies were returned to the Applicant, Mr Hainey, on 17th March 2025. Mrs Spence said that the rent arrears owing are now in the sum of £2606.04. She stated that neither the Representative nor Mr Hainey had received any contact or payment from Mr Ravindran in respect of the arrears due. Mrs Spence asked the Tribunal to grant an order for payment in the sum of £2,606.41.

Statement of Reasons for Decision

4. In reaching their decision the Tribunal had regard to the terms of Section 71 of The Private Housing (Tenancies) Act 2016 provides as follows:

- (1) In relation to civil proceedings arising from a private residential tenancy-
 - (a) the First-tier Tribunal has whatever competence and jurisdiction a sheriff would have but for paragraph (b),
 - (b) a sheriff does not have competence or jurisdiction.
- (2) For the purposes of subsection (1), civil proceedings are any proceedings other than-
 - (a) the prosecution of a criminal offence,
 - (b) any proceedings related to such a prosecution.

5. Accordingly, the Tribunal has jurisdiction in relation to claims by landlords (such as the Applicant) for payment of unpaid rent against a tenant (such as the Respondent) in respect of a Private Residential Tenancy ("PRT").
6. The Tribunal considered all of the Application papers, and the submission of Mrs Spence. Having done so, the Tribunal finds in fact, on a balance of probabilities, and in law that the Respondent, Mr Ravindran, owes rent arrears, arising from the parties' PRT, in the sum of £2,606.41 and that the Applicant, Mr Hainey, is entitled to an order for payment to him by Mr Ravindran of that amount. Mr Ravindran has not lodged representations with the Tribunal or attended the CMD to provide any evidence, and/or make any submission, to oppose and contradict the basis for the order sought by Mrs Spence, on behalf of Mr Hainey. Accordingly, the Tribunal is satisfied that it is reasonable to grant an order for payment by the Respondent, Mr Tarun Thangavelu Ravindran, to the Applicant, Mr Colin Hainey, of the sum of £2,606.14.

Decision

7. Therefore, the Tribunal make an order for payment by the Respondent, Mr Tarun Thangavelu Ravindran, to the Applicant, Mr Colin Hainey, of the sum of TWO THOUSAND SIX HUNDRED AND SIX POUNDS AND FORTY ONE PENCE (£2,606.41) STERLING.

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 McWilliams

Tribunal Legal Member

18th September 2025

Date