



**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/25/1223

Re: Property at 2B Huntly Road, Dundee, DD4 7SY (“the Property”)

Parties:

**Mrs Brenda Roble Napalit Downie, t/a Rowan Properties, Rowan Cottage,
Shielhill Road, Kirriemuir, DD8 4PA (“the Applicant”)**

**Miss Heather Greenwood, 2A Ballindean Road, Dundee, DD4 8NL (“the
Respondent”)**

Tribunal Members:

George Clark (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the application should be decided without a Hearing
and made an Order for Payment by the Respondent to the Applicant of the sum
of £3,678.82.**

Background

1. By application, dated 19 March 2025, the Applicant sought an Order for Payment in respect of unpaid rent that had become due by the Respondent to the Applicant. The sum sought was £3,678.82.
2. The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties, commencing on 11 May 2020 at a rent of £480 per month, with a deposit of £480, a Rent Increase Notice dated 21 September 2023, increasing the rent to £494.40 from 11 January 2024, and a Rent Statement showing arrears as at 13 March 2025 of £3,678.82, the rent being calculated to 6 February 2025..
3. The Applicant stated that the Respondent had been given Notice to Leave on 4 April 2024. The Respondent herself had then given 4-weeks’ Notice on 24 May 2024 of her intention to leave, but had not done so. On 27 August 2024,

she had told the Applicant's letting agents that she had not yet been rehoused, so was unable to give up the tenancy until this happened.

4. The Applicant's letting agents did not know that the Respondent had left the property until 6 February 2025, when Dundee City Council advised them that she had vacated on 13 January 2025. The Respondent did not return the keys.
5. On 23 July 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 13 August 2025. The Respondent did not make any written representations to the Tribunal.

Case Management Discussion

6. A Case Management Discussion was held by means of a telephone conference call on the afternoon of 4 September 2025. The Applicant was represented by Mrs Alison Bruce of Alison Bruce Property Management Ltd, Dundee. The Respondent was not present or represented.
7. Mrs Bruce advised the Tribunal that no payment had been received since the date of the application and that the tenancy deposit had never been paid.

Reasons for Decision

8. 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.
9. The Tribunal noted that the Rent Statement included rent due up to 6 February 2025 and was of the opinion that, as the Respondent had never indicated to the letting agents that she had vacated the property, the Applicant was entitled to rent up to and including that date. The Tribunal was, therefore, satisfied that the rent arrears claimed had become lawfully due by the Respondent to the Applicant.

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.

George Clark

Legal Member/Chair

4 September 2025
Date