



**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/24/5085

**Re: Property at 1 Deanston Gardens, Barrhead, Glasgow, G78 2BN (“the
Property”)**

Parties:

**MRS KAREN MUSCAT, 15 HEYS STREET, GLASGOW, BARRHEAD, G78 2EN
 (“the Applicant”)**

**MR PAUL KAY and MRS LINDSAY KAY, residing together at 1 DEANSTON
GARDENS, GLASGOW, BARRHEAD, G78 2BN (“the Respondents”)**

Tribunal Members:

Andrew Cowan (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the sum of £9750.00 is lawfully due by the Respondents and granted an order for payment of that sum by the Respondents to the Applicant.

Background

1. By an application dated 4th November 2024 the Applicant sought an order for payment of £9750.00 from the Respondents in respect of rent arrears.
2. A Case Management Discussion (“CMD”) took place by teleconference on 1st September 2025.
3. The Applicant was represented on the call by her solicitor, Ms Anna Bruce of Jones Whyte Law Limited. Both the Respondents also joined the conference call.

Further Information:

4. At the CMD the Applicant's representative explained that the Respondents had accrued rent arrears, due under the terms of a tenancy agreement between the parties in relation to the Property, in the sum of £16250 as at the date of the CMD. The Applicant's representative sought to amend the sum claimed in the application to the sum of £16250.
5. The Applicant had not given notice to the Respondents of her intention to amend the sum claimed. The Applicant had not lodged with the Tribunal or the Respondents a clear and valid rent statement which showed how the level of arrears in the sum of £16250 had been calculated. The Respondents explained that they did not understand how the figure of £16250 had been calculated, as they had not been given any statement from the Applicant which demonstrated how that figure of arrears had accrued.
6. The Respondents accepted that they were due to pay the Applicant the sum of £9750 in respect of rent arrears accrued by them as at the date the application was raised on 4th November 2024. The Respondents further accepted that the rent arrears had further accrued since that date and that they had not made any payments toward the rent arrears or current rent since the application was raised.

Findings in fact, and in fact and law; reasons for decision

7. The Applicant let the Property to the Respondents in terms of a written tenancy agreement which commenced on or around 8th March 2017.
8. As of 4th November 2024, the Respondents had accrued arrears of rent incurred during the term of the tenancy in the sum of £9750.00.
9. The rent arrears due by the Respondents as at the date of the CMD are more than £9750.00.
10. As at the date of this CMD that sum of £9750.00 remains due and owing by the Respondents to the Applicant in respect of arrears of rent incurred by the Respondents during the term of the tenancy for the period up to 4th November 2024.

Decision

Under rule 17(4) of the Procedure Rules the First-Tier Tribunal may do anything at a case management discussion which it may do at a hearing, including making a decision.

The Tribunal accordingly granted an order for payment by the Respondents to the Applicant in the sum of £9750.00.

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.

Andrew Cowan

1st September 2025

Legal Member/Chair

Date