

**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/24/2722**

**Re: Property at 3 Dalmarnock Court, Glasgow, G40 4HL (“the Property”)**

**Parties:**

**Mr Stephen Sharp, Flat 3/2, 68 Silvergrove Street, Glasgow, G40 1DR (“the Applicant”)**

**Ms Sharon Murphy, 0/1, 524 Baltic Street, Glasgow, G40 4SF (“the Respondent”)**

**Tribunal Members:**

**Graham Harding (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicant was entitled to an order for payment by the Respondent to the Applicant in the sum of £7750.00 together with interest at the rate of 8% per annum from the date of the decision until payment.**

**Background**

1. By application dated 14 June 2024 the Applicant’s representatives, Clarity Simplicity Limited, Solicitors, Glasgow applied to the Tribunal for an order for payment in respect of alleged rent arrears arising from the Respondent’s tenancy of the property. The Applicant’s representatives submitted a copy of the tenancy agreement together with a rent statement in support of the application.

2. By Notice of Acceptance dated 16 October 2024 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion ("CMD") was assigned.
3. Intimation of the CMD was served on the Respondent by Sheriff Officers on 18 February 2025.
4. A CMD was held by teleconference on 3 April 2025. The Applicant attended in person and was represented by Ms Emma Hamilton from the Applicant's representatives. The Respondent did not attend nor was she represented. The Tribunal continued the CMD to allow the sum claimed to be amended and to allow the Applicant's representatives to obtain a current address for the Respondent.
5. By email dated 22 July 2025 the Applicant's representatives sought to amend the sum claimed to £7750.00 and provided proof of intimation of the amendment to the Respondent and also sought to amend the Respondent's address to 0/1 524 Baltic Street, Glasgow G40 4SF.

### **The Case Management Discussion**

6. A CMD was held by teleconference on 3 September 2025. The Applicant attended in person and was represented by Mr Andrew Devlin from the Applicant's representatives. The Respondent did not attend nor was she represented. The Tribunal being satisfied that proper intimation had been given to the Respondent determined to proceed in her absence.
7. Mr Devlin advised the Tribunal that the rent arrears amounted to £7750.00. He submitted that the sum claimed had been amended in accordance with Tribunal Rule 14A and asked the Tribunal to grant an order for payment in the sum of £7750.00 together with interest at the rate of 8% per annum. Mr Devlin confirmed that interest was contractually due in terms of Clause 5.1 of the tenancy agreement at the rate of 4% above the base rate of the Bank of Scotland.
8. Mr Devlin referred the Tribunal to the Sheriff Officer's trace report and asked the Tribunal to allow the Respondent's address to be amended to 0/1 524 Baltic Street Glasgow G40 4SF and the Tribunal granted the amendment.

### **Findings in Fact**

9. The Respondent owed rent of £7750.00 as at March 2025 and this amount was still outstanding at the date of the CMD.

10. Clause 5.1 of the tenancy agreement entered into by the parties provided for interest to be charged on all unpaid rent at the rate of 4% above the base rate of the Bank of Scotland which is currently 4%.

### **Reasons for Decision**

11. The Tribunal was satisfied from the written representations and documents submitted by the Applicant's representatives together with the oral submissions that the Applicant was entitled to an order for payment by the Respondent in the sum of £7750.00 together with interest at the rate of 8% from the date of the decision until payment.

### **Decision**

12. The Tribunal finds the Applicant entitled to an order for payment by the Respondent to the Applicant in the sum of £7750.00.

### **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.**

**Graham Harding  
Legal Member/Chair**

**3 September 2025  
Date**