

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 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 (Act)

Chamber Ref: FTS/HPC/CV/25/2037

Re: Property at 2M Haldane Street, Dundee, DD3 0HP (“the Property”)

Parties:

JYB Properties Ltd, 251 Kirkintilloch Road, Glasgow, G64 2JD (“the Applicant”)

Mr Alex Chaplin, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment be granted in the sum of £6,196.07.

Background

This is an application under Rule 111 of ***The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (Rules)*** and section 71(1) of the Act in respect of a claim for payment of rent arrears.

The Tribunal had regard to the following documents:

1. Application received 13 May 2025;
2. Private Residential Tenancy Agreement (**PRTA**) commencing 12 March 2020;
3. Rent Arrears Statement;
4. Sheriff Officers Certificate of Service of CMD Notification on the Respondent dated 12 August 2025;
5. Email application to amend dated 5 September 2025.

Case Management Discussion (CMD)

The case called for a CMD by telephone on 17 September 2025. The Applicant did not participate but was represented by Ms Wheelan, Letting Agent. The Respondent did not participate and was not represented.

The Tribunal delayed the start of the CMD to see if the Respondent would participate but he did not.

The Tribunal were satisfied that the Respondent had received notification of the Case Management Discussion and that the Tribunal could determine the matter if it considered it had sufficient information to do so and the procedure was fair. The notification also advised the Respondent that he should attend and the Tribunal could determine the matter in absence if he did not.

The Tribunal decided that it was fair and reasonable to proceed in the Respondent's absence.

Ms Wheelan confirmed that the Respondent was in rental arrears as at the end of the tenancy in the sum of £6,196.07.

There is no other information available regarding the Respondent's current circumstances or intentions.

Ms Wheelan asked the Tribunal to amend the application to increase the sum sued for to reflect the amount due at the end of the tenancy.

The Tribunal then considered the documentary evidence it had received from the Applicant and in so far as material made the following findings in fact:

1. The Parties let the subjects under a PRTA commencing 12 March 2020;
2. The monthly rent was £613.29;
3. The Applicant was in arrears of rent in the sum of £6,196.07 as at the end of the tenancy.

Decision and Reasons

The Tribunal granted the application to amend.

The Tribunal was satisfied that in the circumstances the Applicant was due payment of the rent arrears from the Respondent and granted the order sought in the amount of £6,196.07.

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.

17 September 2025

Alan Strain

Legal Member/Chair

Date 17.09.2025