



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 71 of the Private
Housing (Tenancies)(Scotland) Act 2016**

Chamber Ref: FTS/HPC/CV/24/4126

Re: Property at 3 Mid Artrochie Cottage, Ellon, AB41 8JR (“the Property”)

Parties:

Mr John Buchan, Auchmacoy Estate, Ellon, AB41 8RB (“the Applicant”)

**Miss Rowena Tabernacle, Mr Tarrin Bremner, 3 Mid Artrochie Cottage, Ellon,
AB41 8JR (“the Respondent”)**

Tribunal Members:

Alison Kelly (Legal Member) and Jane Heppenstall (Ordinary Member)

Decision (in absence of the Respondents)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that**

Background

1. On 15th September 2024 the Applicant lodged an application under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.
2. Lodged with the application were: -
 - i. Copy Private Residential Tenancy Agreement showing a commencement date of 1st October 2022 and a rent of £800 per month;
 - ii. Rent Statement showing arrears of £8787.25 in September 2024.
3. The Application was served on the Respondent by Sheriff Officers on
4. On 6th March 2025 the Applicant’s solicitor lodged a Second Inventory of Productions including a Rent Increase Notice increasing the rent to £900 per month from 1st September 2024, and an up to date rent statement showing the arrears as at March 2025 standing at £11587.25.

Case Management Discussion

5. The Case Management Discussion ("CMD") took place by teleconference. The Applicant was represented by Mr Doran of Raeburn Christie Clark and Wallace, Solicitors. The Respondents appeared and represented themselves.
6. The Applicant had also raised an eviction action under reference EV/24/4124 which called at the same time. The tribunal decided to continue that action to a hearing, and to continue this CMD to the same date.

Subsequent to CMD

7. The Tribunal issued a Direction to the parties.
8. On 9th May 2025 the Applicant's solicitor lodged a Submission in terms of the Direction.
9. The Respondents did not comply with the Direction.
10. On 8th August 2025 the Respondents sent an email to the Tribunal advising that they were leaving the property and would hand the keys back on 11th August.
11. On 26th August 2025 the Applicant's solicitor lodged a Written Submission confirming that the arrears now stood at £14587.75 with a further £900 due to be added prior to the CCMD.

Continued Case Management Discussion

12. The Continued Case Management Discussion ("CCMD") took place by teleconference. The Applicant was represented by Mr Doran of Raeburn Christie Clark and Wallace, Solicitors. There was no attendance by the Respondents or any representative on their behalf.
13. Mr Doran asked that an order be granted for payment, in the amount of £15487.25, being the sum now due, together with interest at the rate of 4%, to which the Tribunal agreed.

Findings in Fact

- a. The parties entered into a Private Residential Tenancy Agreement in respect of the property with rent of £800 per month;
- b. The tenancy commenced on 1st October 2022;
- c. The rent was raised to £900 per month on 1st September 2024;
- d. The current rent arrears are £15487.25.

Reasons for Decision

14. The Respondents owes rent to the Applicant in the amount of £15487.25.

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.

Alison J Kelly

Legal Member/Chair

Date 12th September 2025