



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

Chamber Ref: FTS/HPC/CV/25/0675

Property at Cottage Number 2, South Lambieletham, St. Andrews, Fife, KY16 8NP (“the Property”)

Parties:

Mr John MacNiven, South Lambieletham, St. Andrews, Fife, KY16 8NP (“the Applicant”)

Mrs Alison Baxter, Cottage Number 2, South Lambieletham, St. Andrews, Fife, KY16 8NP (“the Respondent”)

Tribunal Members:

Josephine Bonnar (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment of the sum of £6000 should be granted against the Respondent in favour of the Applicant.

Background

1. The Applicant seeks a payment order in relation to unpaid rent. A rent statement and tenancy agreement were submitted with application.
2. A copy of the application was served on the Respondent and both parties were advised that a case management discussion (“CMD”) would take place on 14 October 2025 at 10am. Prior to the CMD the Applicant provided an update to the Tribunal. He stated that the arrears had increased to £6000 and that only one payment of rent had been made in 2025.
3. The CMD took place on 14 October 2025. Both parties participated.

CMD

4. Mr McNiven told the Legal Member that the sum of £6000 is still outstanding and that he is seeking an order for payment for this sum. Mrs Baxter said that she is aware that a large sum is owed but had lost track and did not know the actual figure. She said that she had looked at the documents lodged with the application and accepts the sum of £6000 is due. In response to questions from the Legal Member, Mrs Baxter said that her income has reduced, and she is unable to meet the rent charge. She applied for Universal Credit but is not eligible because she is self-employed. She is currently getting some advice and assistance to sort out her finances but must get a part time job to supplement her income. However, she does not drive and, due to the location of the property, it is proving difficult to get something suitable.

Findings in Fact

5. The Applicant is the owner and landlord of the property.
6. The Respondent is the tenant of the property.
7. The Respondent is due to pay rent at the rate of £550 per month
8. The Respondent owes the sum of £6000 in unpaid rent

Reasons for the decision

9. Based on the documents lodged with the application, and the information provided at the CMD, the Legal Member is satisfied that the Respondent owes the sum of £6000 in unpaid rent and the Applicant is entitled to a payment order for this sum.

Decision

10. The Tribunal determines that a payment order should be granted against the Respondent in favour of 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.

J. Bonnar

Legal Member:

Date: 14 October 2025