



**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/25/1195

**Re: Property at 19 Laburnum Avenue, Beith, North Ayrshire, KA15 1BQ (“the
Property”)**

Parties:

**Mrs Nina Smith-Stanger, Mr Martyn Smith-Stanger, 16A Muroor Complex,
Dhafeer Street, Al Muntazah, Abu Dhabi, United Arab Emirates (“the Applicant”)**

**Mrs Maria Thomson, Mr Thomas Thomson, 19 Laburnum Avenue, Beith, North
Ayrshire, KA15 1BQ (“the Respondent”)**

Tribunal Members:

Andrew Cowan (Legal Member) and Helen Barclay (Ordinary Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the sum of £4326.00 is lawfully due by the Respondents and granted an order for payment of that sum by the Respondents to the Applicants.

Background

1. By an application dated 17th March 2025 the Applicants sought an order for payment of £4326.00 from the Respondents in respect of rent arrears.
2. A Case Management Discussion (“CMD”) took place by teleconference on 15th September 2025.
3. The Applicants were represented at the CMD by Mr Craig Donnelly, solicitor of Messrs Holmes Mackillop Solicitors.
4. The Respondents did not join the CMD call. The Tribunal were satisfied that the Application, and details of the CMD, had been intimated upon each of the

Respondents by Sheriff Officers on 5th August 2025. The Tribunal was satisfied that the Respondents had been given reasonable notice of the date, time and place of the CMD and that the requirements of rule 24(1) of the First-Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Procedure Rules”) had been duly complied with. In the circumstances the Tribunal proceeded with the application in accordance with rule 29 of those Procedure Rules.

5. The Respondents have not lodged any response or written submission to the Tribunal in relation to the application.
6. At the CMD the Tribunal was able to consider:
 - a) The terms of the tenancy agreement between the parties. The tenancy agreement was a Private Residential Tenancy Agreement in relation to the Property. The tenancy between the parties had commenced 14th June 2018. The rent charged under the tenancy agreement was £600 per month at the commencement of the Tenancy. The rent due under the Tenancy is currently £618 per month.
 - b) A rent statement showing the sum of £4326.00 as due by the Respondents to the Applicants by way of rent arrears as at 14th February 2025.

Further Information:

7. Mr Donnelly explained to the Tribunal that, as at the date the Application was raised, the Respondents were due the sum of £4326.00 to the Applicants in respect of rent arrears accrued in relation to their obligations to pay rent under the terms of a tenancy agreement between the parties for the period up to 14th February 2025. The Respondents have made no payments towards current rent due or to the arrears accrued and, by the date of the CMD, the rent arrears had increased to £8034.00. No application to amend the sum claimed in the Application had been made to the Tribunal. Mr Donnelly therefore asked the Tribunal to make an order for payment of the sum of £4326.00 by the Respondents to the Applicants, in relation to the arrears of rent, for the period up to 14th February 2025, which was due by the Respondents (and which remained unpaid).

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

8. The Applicants let the Property to the Respondents in terms of a written tenancy agreement which commenced on 14th June 2019. The monthly rent

due in terms of the tenancy agreement between the parties is now £618 per month.

9. As at the date of this CMD, the Respondents have accrued arrears of rent due under the terms of the tenancy agreement between the parties, for the period up to 14th February 2025, in the sum of £4326.00.
10. As at the date of this CMD that sum of £4326.00 remains due and owing by the Respondents to the Applicants in respect of arrears of rent incurred by the Respondents for the period up to 14th February 2025.

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 Respondent to the Applicant in the sum of £4326.00.

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.

A. Cowan

Legal Member/Chair

Date: 15/09/2025