



**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/24/4543

Re: Property at 76 Murray Street, Paisley, PA3 1QT (“the Property”)

Parties:

Mr David McConnell, Bourtreehill Cottage, Irvine, KA11 3DA (“the Applicant”)

Ms Samantha Porter, 76 Murray Street, Paisley, PA3 1QT (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member)

Decision (in absence of both Parties)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Application should be refused for want of insistence.

Statement of Reasons

1. This Application called for its Case Management Discussion by teleconference call on 10 October 2025. Neither Party was present or represented.
2. This Application seeks a payment order for rent arrears. It was previously grouped with an eviction application, but that application was withdrawn by the Applicant. It is unclear whether the withdrawal of the eviction application ought also to have been a withdrawal of this Application.
3. However, irrespective of the intention of the Applicant, the Applicant did not appear to insist upon his Application. For that reason, the Tribunal refused the Application for want of insistence.

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.

Andrew Upton

Andrew Upton

10th October 2025

Legal Member/Chair

Date