



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Housing (Scotland) Act 2014 (“the Act”) and Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)

Chamber Ref: FTS/HPC/CV/25/1306

Re: Property at 47 Crescent Lane, Dundee, DD4 6DP (“the Property”)

Parties:

Mr Andrew Rennie, Pavillion Properties, 86 Bell Street, India Buildings, Dundee, DD1 1HN (“the Applicant”) per his agents, MML LAW, Meadowplace Buildings, Bell Street, Dundee DD1 1EJ (“the Applicant’s Agents”)

Ms Kamila Malesza, present whereabouts unknown (“the Respondent”)

Tribunal Members:

Karen Moore (Legal Member)

Decision (in absence of the Respondent)

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

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that determined that an Order for payment of FIVE THOUSAND FIVE HUNDRED AND FIFTY POUNDS (£5,550.00) Sterling be granted.

Background

1. By application received on 25 March 2025, (“the Application”), the Applicant’s Agents on behalf of the Applicant applied to the Tribunal for a payment order requiring the Respondent to make payment of all outstanding rent due by her. The Application comprised a copy of a private residential tenancy agreement between the Parties, copy statements of rent due and owing by the

Respondent showing arrears of £3,950.00 at March 2025. The Application intimated that an Order for all sums due would be sought.

2. The Application was accepted by the Tribunal and a Case Management Discussion (the "CMD") was fixed for 26 September 2025 by telephone conference. The CMD was intimated to the Parties, and, in particular, was served on the Respondent by Advertisement, her present address being unknown.

CMD

3. The CMD took place on 26 September 2025 at 10.00 by telephone conference by telephone. The Applicant did not take part and was represented by Mr. McNeil of the Applicant's Agents. The Respondent did not take part and was not represented. She did not submit written representations.
4. Mr. McNeil advised the Tribunal that the rent now due and owing by the Respondent is £5,550.00 which is the sum sought at the date of the CMD.
5. The Tribunal noted that the Application form intimates that an order for all current due is sought and so took the view that the Applicant had been made aware that the sum noted in the Application would increase if the rent due increased.

Findings in Fact

6. From the Application and the CMD, the Tribunal made the following findings in fact,:-
 - i) There is or was a tenancy of the Property between the Parties;
 - ii) The Respondent has accrued rent arrears since October 2024 and the sum currently due and owing is £5,550.00 and
 - iii) The Applicant is entitled to an Order for £5,550.00.

Decision and reasons for the decision

7. The Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal "may do anything at a case management discussionincluding making a decision" Having found in fact that the Respondent is due and owing to the Applicant for the sum of £5,550.00, the Tribunal proceeded to make an order for payment in this sum

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.



Karen Moore
Legal Member/Chair

26 September 2025

Date