



**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/24/3786

Re: Property at 69 Queen Street, Peterhead, AB42 1TU (“the Property”)

Parties:

**Mr Shaun Buckle, 6/7 North Hillhousefield, Midlothian, Edinburgh, EH6 4HU
 (“the Applicant”)**

Mr Stephen McLeman, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Ruth O'Hare (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent was liable to pay the Applicant the sum of Five thousand seven hundred and fifty eight pounds and fifteen pence (£5758.15) Sterling under the terms of the tenancy agreement between the parties.

The Tribunal therefore made an order for payment in the sum of £5758.15.

Background

- 1 This is an application for a payment order under Rule 111 of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 (“the Rules”) and section 71 of the Private Housing (Tenancies) (Scotland) Act 2016. The Applicant sought to recover unpaid rent and cleaning costs from the Respondent arising from a private residential tenancy in the sum of £5758.15.
- 2 The application was referred to a case management discussion (“CMD”) to take place on 8 April 2025 by teleconference. The Tribunal attempted to give notice to the Respondent at the address provided in the application under Rule 17(2) of the Rules. However, the Tribunal subsequently received a report from sheriff

officers advising that the Respondent had vacated the property in late December 2024 and his whereabouts could not be ascertained.

- 3 The CMD was therefore postponed for notice to be given to the Respondent, which was effected by service by advertisement on the Tribunal's website between 25 August 2025 and 7 October 2025.

The CMD

- 4 The CMD took place on 7 October 2025 by teleconference. Mr Sloan of DJ Alexander represented the Applicant. The Respondent did not join the call. The Tribunal noted that he had been given notice of the CMD by advertisement on the Tribunal's website under rule 4A of the Rules. The Tribunal therefore delayed the start time of the CMD for a short period before determining to proceed in his absence.
- 5 The Tribunal had the following documents before it:-
 - (i) Title sheet confirming the Applicant as the registered owner of the property;
 - (ii) Excerpt from the online landlord register confirming the Applicant's landlord registration;
 - (iii) Form F application form;
 - (iv) Private residential tenancy agreement between the parties;
 - (v) Rent statement; and
 - (vi) Check-out inventory and invoice for cleaning costs.
- 6 The Tribunal heard submissions on the application from Mr Sloan. He confirmed that the Applicant sought an order for payment in respect of rent arrears and cleaning costs. There had been no recent contact from the Respondent and no payments received towards the debt.

Findings in fact

- 7 The Applicant is the owner and landlord, and the Respondent was the tenant, of the property in terms of a private residential tenancy agreement.
- 8 The rent due for the property was £500 per calendar month in advance.
- 9 The Respondent failed to pay rent as agreed.
- 10 The tenancy between the parties terminated on 10 October 2023.
- 11 As at the date of termination rent arrears of £4972.15 had accrued.
- 12 The Respondent failed to leave the property in a good and clean condition. The Applicant carried out cleaning to restore the property to the same order that it was provided at the beginning of the tenancy at a cost of £745.

- 13 The Respondent is liable for the cleaning costs and the rent arrears under the terms of the tenancy agreement between the parties.

Reasons for decision

- 14 The Tribunal took into account the documentary evidence before it and submissions from Mr Sloan at the CMD in reaching its decision. The Tribunal considered it could make relevant findings in fact in order to reach a decision in the absence of the hearing under rule 18 of the Rules as there was no contradictory evidence before the Tribunal. The Respondent had not sought to challenge any of the information provided by the Applicant, which was clear and consistent.
- 15 The Tribunal accordingly accepted that the Respondent was liable to pay the Applicant the sum of £5758.15 under the terms of the tenancy agreement between the parties. The Applicant's claim was supported by the tenancy agreement, the invoice produced and the rent statement confirming the balance outstanding at the termination of the tenancy.
- 16 The Tribunal therefore determined to make an order for payment in the sum of £5758.15.

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.

Ruth O'Hare

7 October 2025

Legal Member/Chair

Date

R O'Hare