

Housing and Property Chamber
First-tier Tribunal for Scotland



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Chamber Ref: FTS/HPC/CV/25/0849

Re: Property at 15 The Grove, Dumfries, DG1 1TN (“the Property”)

Parties:

DALLOCH LIMITED, a company incorporated under the Companies Acts and having their registered office at 8 Bank Street, Dumfries, DG1 2NS (“the Applicant”)

Cheryl Kempself, residing at Hardlawbank, Holwood, Dumfries, DG2 0RJ (“the Respondent”)

Tribunal Member:

Paul Doyle (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment should be made.

Background

The Applicant sought an order for payment of rental arrears totalling £665.08. The Applicant lodged with the Tribunal Form F. The documents produced included a Tenancy Agreement and a statement of unpaid rental. A copy title sheet was lodged with the Tribunal which showed that the applicant is the heritable proprietor of the Property.

Case Management Discussion

A case management discussion took place by telephone conference at 10.00am on 21 October 2025. The Applicant was represented by Ms J McAinsh of Direct Lettings. There was no appearance by or on behalf of the Respondent.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent entered into a Short Assured Tenancy Agreement for the Property dated 11 and 18 March both 2015.
2. The period of the Lease was from 11 April 2015 to 10 October 2015 and thereafter on a month-to-month basis.
3. The initial rent in terms of the Tenancy Agreement was £435 per month. The rental increased during the tenancy. By May 2024 the rental was £515 pcm.
4. The Respondent failed to make full payment of rent due on 17 September 2024 and on 17 October 2024. At the date of application, there were arrears of rental totalling £665.08, which is the sum applied for. The respondent still owes that sum to the applicant.
5. Notice of the date of this hearing was served on the Respondent by sheriff officers.

Reasons for the Decision

The Tribunal determined to make an Order for payment of £665.08. Rent was lawfully due in terms of clause 2 of the Tenancy Agreement at the rate of £515 per month. In September and October 2024, the respondent fell into rent arrears totalling 665.08. That sum remains due to the applicant

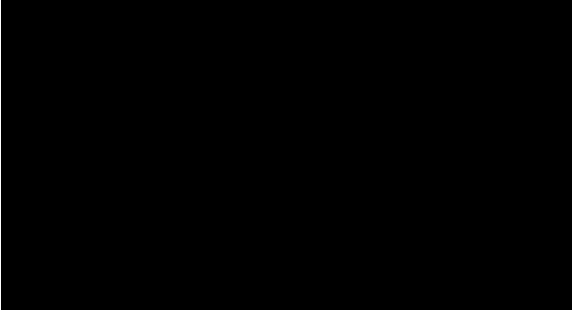
Decision

For the foregoing reasons, the Tribunal determined to make an Order for payment.

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.

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.



Date 21 October 2025