

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) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/25/1631

Re: Property at Flat 9, 244A High Street, Kirkcaldy, KY1 1JT (“the Property”)

Parties:

Ad Astra Assets Ltd, Zenlet Unit 15, Evans Business Centre, Mitchelston Drive, Kirkcaldy, KY1 3NB (“the Applicant”)

Hannah Mia Hutcheson, Flat 9, 244A High Street, Kirkcaldy, KY1 1JT (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member) and Elizabeth Williams (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent is liable to make payment to the Applicant in the sum of SIX THOUSAND SEVEN HUNDRED AND FIFTY POUNDS (£6,750.00) STERLING with Interest thereon at the rate of eight per centum per annum running from 21 October 2025 until payment.

Statement of Reasons

1. This Application called for its Case Management Discussion by teleconference call on 21 October 2025, alongside the related application for eviction (EV/25/1630). The Applicant was represented by Miss Wooley. The Respondent was not present or represented.
2. In this Application the Applicant seeks payment of a sum said to be due as rent arrears. By email dated 13 October 2025, and copied to the Respondent, the Applicant moved the Tribunal under Rule 14A of the First Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 to increase the sum claimed for to £6,750 to reflect further arrears since the

action was raised. The application to amend was supported by an updated rent schedule. The Tribunal allowed the Application to be so amended.

3. In terms of Rule 17(4) of the First Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017, the Tribunal may do anything at a Case Management Discussion that it may do at a Hearing, including make a Decision. In terms of Rule 2, the Tribunal must have regard to the overriding objective to deal with proceedings justly when making a Decision; including the need to avoid unnecessary delay.
4. The Respondent has had notice of the Application and the CMD, but has chosen not to lodge written representations objecting to the Application nor to attend the CMD. In the circumstances, the Tribunal is satisfied that the Respondent does not wish to participate in the proceedings.
5. The Tribunal was satisfied, in the absence of any representation to the contrary, that the Respondent was in arrears in the sum of £6,750. The Tribunal unanimously determined that a payment order in that sum should be made.
6. The Application also seeks payment of interest at the rate of 8% per annum from the date of the payment order. Clause 8 of the tenancy agreement between the parties provides that interest at the rate of 8% per annum will accrue on any unpaid rent from the date it fell due. The Applicant has chosen to restrict its claim to interest to the date the order is granted, rather than from the date it fell due. The Tribunal was therefore content to grant the order for payment of interest.

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. Upton

24/10/25

Legal Member/Chair

Date