

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**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/25/1097**

**Re: Property at Flat 0/2, 104 Cumming Drive, Glasgow, G42 9BW (“the Property”)**

**Parties:**

**Garnet Terrace Property Company, 103 Douglas Street, Glasgow, G2 4HA (“the Applicants”)**

**Mr Desmond Heafey, Flat 0/2, 104 Cumming Drive, Glasgow, G42 9BW (“the Respondent”)**

**Tribunal Members:**

**George Clark (Legal Member) and Angus Lamont (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicants of the sum of £11,680.**

**Background**

1. By application, dated 11 March 2025, the Applicants sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent to the Applicants. The sum sought was £6,235.
2. The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties, commencing on 1 April 2023 at a monthly rent of £550 and a Rent Statement showing arrears of £6,235 at 1 February 2025, the rent having been increased to £605 per month from 1 August 2024.
3. On 24 September 2025, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondent was invited to make written representations by 15 October 2025. The Respondent did not make any written representations to the Tribunal within that time limit, but on 31

October 2025, Govan Law Centre made written submissions on his behalf, in which they stated that he was not disputing the sum due.

4. On 28 October 2025, the Applicants' solicitors provided an updated Rent Statement showing arrears of £11,270 at 24 October 2025. The Statement indicated that the rent had been increased to £670 per month from 1 August 2025

### **Case Management Discussion**

5. A Case Management Discussion was held by means of a telephone conference call on the afternoon of 5 November 2025. The Applicants were represented by Ms Olivia Robertson of Levy & McRae Solicitors LLP, Glasgow. The Respondent was represented by Ms Lyndsey McBride, trainee solicitor with Govan Law Centre.
6. Ms Robertson told the Tribunal that the Respondent had failed to make the rental payment due on 1 November 2025, so the arrears were now £11,940. Ms McBride confirmed that the Respondent did not contest the sum due.
7. Subsequent to the Case Management Discussion, the Applicants' solicitors asked that the amount sought be reduced to £11,680, as it had been ascertained that, due to an oversight, a Notice increasing the rent from £605 per month to £670 per month from 1 August 2025 had not been served on the Respondent.

### **Reasons for Decision**

8. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it all the information and documentation it required to enable it to decide the application without a Hearing.
9. The Tribunal was satisfied that the sum sought in the application, now amended to £11,680, had become lawfully due by the Respondent to the Applicants.
10. The Tribunal's Decision was unanimous.

### **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.**

G.Clark

Legal Member/Chair

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7 November 2025  
Date