



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

**Statement of Reasons for Decision of the First-tier Tribunal for Scotland  
(Housing and Property Chamber (hereinafter referred to as “the  
tribunal”) under Section 24 of the Housing (Scotland) Act 1988**

**Case Reference Number: FTS/HPC/RA/25/1380**

**Parties**

**Mr Robert McKnight, Mrs Amanda Dignam-McKnight (Applicant)**

**Mr William McBride (Respondent)**

**Re the property at 11 McAdam Way Dalmellington KA6 7FD.**

**The Tribunal consisted of:-**

**Mr James Bauld - Chairperson**

**Ms. Carol Jones - Ordinary (surveyor) Member**

**Introduction:-**

1. This is a reference to the tribunal in respect of the property at 11 McAdam Way Dalmellington KA6 7FD.
2. The landlord is Mr. William McBride. The tenants are Mr. Robert McKnight and Mrs. Amanda Dignam-McKnight.
3. On 14 March 2025 the landlord served a notice using Form AT2 on the tenants indicating that he intended to increase the rent on the property from £592.25 per month to £750.00 per calendar month with effect from 19 June 2025.
4. The tenants timeously objected to that proposed increase by referring the proposed increase to the tribunal by lodging Form AT4 dated 27 March 2025.



5. The matter was referred to a tribunal and both parties were invited to make written representations. Both parties were also notified that an inspection and hearing would take place and were invited to attend the inspection and hearing.
6. The tribunal members attended to carry out the inspection on 29 October 2024 at 10.00 a.m. A hearing by teleconference was fixed for 2.00 P.M. on the same day. The property comprises a detached bungalow constructed around 2010/11. It is situated in a small development of similar properties on the western outskirts of Dalmellington, located approximately 14 miles south-east of Ayr town centre. The accommodation comprises a hall, living room, three bedrooms (one with en-suite shower), kitchen and bathroom. The property has gas central heating, uPVC double glazed windows and is let unfurnished. There is a driveway to the front and gardens to the side and rear. The tenants have provided all kitchen appliances and white goods, except the cooker hob, added two wall mounted kitchen storage units, all blinds and curtains, replaced some carpets and re-decorated (partly in lieu of rent) and landscaped the rear garden. The property is in a reasonable condition. The gross internal area of the property is approximately 99 square metres.

### **The hearing**

7. The hearing was attended by the applicants. The landlord was not present but was represented by his letting agent Ms. Shirleyann McCulloch from RentLocally, Hamilton
8. The tribunal explained the overriding objective of the tribunal to the parties and noted they understood that objective and the manner in which the hearing would proceed

### **9. Discussion**

10. The tenancy agreement produced shows that the tenancy held by the tenants is a short assured tenancy under and in terms of the Housing (Scotland) Act 1988. Parties agreed that this tenancy was still in place and had commenced in September 2017.
11. It was noted that the Form AT2 had been served while the provisions of the Rent Adjudication (Temporary Modifications) (Scotland) Regulations



2024 ("the 2024 Regulations") were still in force. These Regulations were revoked on 1 April 2025

12. These Regulations introduced a maximum annual rent increase of 12% in certain circumstances set out more fully in the regulations.
13. On receipt of the Form AT2, the tenants had responded to the landlord's agent advising that the proposed increase exceeded the maximum 12% increase allowed in terms of the 2024 Regulations
14. They indicated the appropriate rental figure including a 12% increase would be £663.32. They indicated they were willing to pay that amount and have been paying that amount since July 2025, being the first rental payment falling after the date in the Form AT2..
15. The landlord's agent noted the proposal being made and having acknowledged that the 2024 Regulations applied, confirmed that she would agree that the rent payable from July 2025 would be fixed at £663.32 per calendar month.

## **Decision**

The tribunal accordingly determines that the rent to be applied from July 2025 is £663.32 month being the amount now agreed between the parties and being the maximum amount permitted in terms of the 2024 regulations and not the £750 sought by the landlord

## **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**



# J Bauld

Signed ..... Date 04.11.2025 .....

**James Bauld, Chairperson**