



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/25/0195

Re: Property at 53 Polmaise Avenue, St Ninians, Stirling, FK7 0DJ (“the Property”)

Parties:

Mr Alan Morrison, Mr David Morrison, 26F Crum Crescent, St Ninians, Stirling, FK7 0EX; 1A Berryhill, Cowie, Stirling, FK7 7AH (“the Applicants”)

Mr James Kirkwood, 53 Polmaise Avenue, St Ninians, Stirling, FK7 0DJ (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent in terms of his private residential tenancy agreement with the Applicants. It called for a case management discussion (‘CMD’) at 2pm on 3 November 2025, by teleconference. The first-named Applicant was on the call in-person. The Respondent was not on the call and was not represented. The commencement of the CMD was delayed by 10 minutes, in case of any technical difficulty; but there remained no contact from him.

A copy of the application and notice of the CMD was given to the Respondent by sheriff officers on 24 September 2025. The Tribunal was satisfied that it was reasonable to proceed on the basis that the matter was therefore undefended.

- Findings in Fact

The following facts from the application were relied on by the Tribunal, as unopposed:

1. The Respondent entered into a private residential tenancy agreement with the Applicants in respect of the Property, with a start date of 3 November 2022.
2. In terms of that agreement, rent of £650 was due every month.
3. As at 31 October 2025, the Respondent was in arrears of rent of £2,150.

- Reasons for Decision

The Respondent owes the sum sought in the application to the Applicants. An order for payment of that amount should therefore be made.

- Decision

Order made for payment by the Respondent to the Applicants of the sum of TWO THOUSAND, ONE HUNDRED AND FIFTY POUNDS STERLING (£2,150).

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.

Nairn Young

Legal Member/Chair

Date 03-11-25