

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/25/1012

Re: Property at 257 Rr/1/3 Clepington Road, Dundee, DD3 7UE (“the Property”)

Parties:

Mr William Thomson, 11E Lawton Terrace, Dundee, DD3 6ES (“the Applicant”)

Mr Joseph Thomson, Tracey Dunne, 257 Rr/1/3 Clepington Road, Dundee, DD3 7UE; (“the Respondents”)

Tribunal Members: Mr Nairn Young & Ms Janine Green

Decision (in absence of the second-named 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 Respondents in terms of their private residential tenancy agreement with the Applicant. It called for case management discussion (‘CMD’) at 10am on 27 October 2025, by teleconference. The Applicant was represented on the call by Mr Lawson of MML Law, solicitors. The first-named Respondent was represented on the call by Mr Marshall of Dundee Law Centre. The second-named Respondent was not on the call or represented.

Notice of the application and the CMD was served by advertisement placed on the Tribunal website on 9 October 2025. The Tribunal therefore considered that proper

notice had been given and that it was fair to proceed on the basis the matter was unopposed, by the second-named Respondent.

That notwithstanding, the Applicant had sent an application to amend the sum sought on 22 October 2025, copying to first-named Respondent's representative. This had not been notified to the second-named Respondent. In the event, the first-named Respondent's representative confirmed he did not oppose the amendment. The Applicant confirmed he was happy to drop the application, as against the second-named Respondent, on that basis.

- Findings in Fact

The Tribunal considered the following unopposed facts as relevant to its decision:

1. The Applicant lets the Property to the Respondents in terms of a private residential tenancy agreement with a start date of 1 February 2020.
2. In terms of the tenancy agreement, rent of £400 is due every four weeks, commencing the start date; although, in practice it has been charged monthly.
3. The Respondents paid no rent on 1 March 2023 and have been in arrears since that date.
4. The Respondents have made only a few sporadic payments to the rent account, with the result that the arrears, as at the date of the CMD, stood at £10,800.

- Reasons for Decision

5. On the basis of the facts as above, the Tribunal was content to allow the amendment, as representative of the up-to-date arrears position. Thereafter, the sum sought being owed by the first-named Respondent jointly and severally to the Applicant, it granted an order for payment of that amount.

- Decision

Order granted for payment by the first-named Respondent to the Applicant of the sum of TEN THOUSAND, EIGHT HUNDRED POUNDS STERLING (£10,800).

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: 27 October 2025