



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017.

Chamber Ref: FTS/HPC/CV/25/2668

Re: Property at Chapel Well Cottage, Torphins, Banchory, AB31 4NB (“the Property”)

Parties:

Mrs Maureen Grant, C/O Suite A, 1 Albyne Place, Aberdeen, AB10 1BR (“the Applicant”)

Mr Palle Christensen, Chapel Well Cottage, Torphins, Banchory, AB31 4NB (“the Respondent”)

Tribunal Members:

Fiona Watson (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 an order is granted against the Respondent for payment of the undernoted sum to the Applicant:

Sum of THREE THOUSAND SIX HUNDRED AND EIGHTY POUNDS (£3,680) STERLING

- Background
- 1. An application was submitted to the Tribunal under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”), seeking a payment order against the Respondent in relation to rent arrears accrued under a private residential tenancy agreement.

- The Case Management Discussion

2. A Case Management Discussion took place on 4 November 2025 by conference call. The Applicant was represented by Mr Alasdair Taylor, Burnett & Reid, Solicitors, Aberdeen. There was no appearance by or on behalf of the Respondent. The application had been intimated on the Respondent by Sheriff Officer on 30 September 2025. The Tribunal was accordingly satisfied that the Respondent had been duly notified of the date and time of the CMD and that the CMD could proceed in the Respondent's absence.
3. A separate application by the Applicant seeking a repossession order against the Respondent under Rule 109 of the Rules and under case reference FTS/HPC/EV/24/2179 was heard at the same time. This rule 109 application was calling in respect of day two of a part-heard hearing. The Respondent had appeared personally at the first day of the part-heard hearing on 11 July 2025 and was aware of the continued hearing date.
4. The Applicant's representative moved for the order for payment to be granted in the increased sum of £4,140. The parties had entered into a Private Residential Tenancy Agreement. The Respondent had failed to make payment of rent and at the time of submitting the application had fallen into arrears amounting to £2,760. Since submitting the application, the level of arrears had increased. By way of email of 14 October 2025, which email was copied to the Respondent, the Applicant submitted an updated rent statement showing an increase of arrears to £3,680 at that date.

- Findings in Fact

5. The Tribunal made the following findings in fact:
 - (i) The parties entered into a Private Residential Tenancy Agreement ("the Agreement") which commenced 1 November 2020;
 - (ii) In terms of Clause 8 of the Agreement, the Respondent was obliged to pay a monthly rent of £450 to the Applicant, which monthly rent increased to £460 from October 2023;
 - (iii) The Respondent had failed to make payment of rent as fell lawfully due, and had accrued arrears amounting to £4,140 at the date of the CMD.

- Reasons for Decision

6. The Tribunal was satisfied that the Applicant was entitled to an order in the sum of £3,680, being the sum due at the date of the email of 14 October 2025 and which increase was intimated to the Respondent in terms of Rule 14A. The Respondent was obliged to make payment of rent in the sum of £460 per month under Clause 8 of the Agreement and had failed to do so. He had accrued arrears amounting to £3,680 as at 14 October 2025 and which fell lawfully due to be repaid to the Applicant.

- Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) granted an order against the Respondent for payment of the undernoted sum to the Applicant:

Sum of THREE THOUSAND SIX HUNDRED AND EIGHTY POUNDS (£3,680)
STERLING

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.

Fiona Watson

Legal Member/Chair

Date: 4 November 2025