

**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/25/0135**

**Re: Property at 209 Cambridge Crescent, Airdrie, ML6 7HT (“the Property”)**

**Parties:**

**Simon Lappin, Jill Lappin, C/O Gilson Gray LLP, 29 Rutland Square, EH1  
2BW (“the Applicant”)**

**Michael Neill, 4 Roselea, Caldercruix, Airdrie, ML6 7QA (“the Respondent”)**

**Tribunal Members:**

**Alison Kelly (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order for payment should be made.**

**Background**

1. On 14<sup>th</sup> January 2025 the Applicant lodged an application under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.
2. Lodged with the Application were:
  - a. Copy Private Residential Tenancy dated 11<sup>th</sup> February 2022 and showing a rent of £695 per month
  - b. Rent Statement showing arrears of £3012.68 as at 13th August 2024
  - c. Invoices in support of the claim
3. The Application was served on the Respondent by Sheriff Officer on 2<sup>nd</sup> July 2025.

4. On 5<sup>th</sup> December 2023 the Applicant's agent emailed the Tribunal to confirm that Respondent had vacated the property. This took place on 28<sup>th</sup> November 2023.
5. On 2<sup>nd</sup> July 2025 the Applicant's solicitor lodged an application to amend the sum sought by adding an additional £1386.50 in respect of reasonable costs.
6. On 17<sup>th</sup> July 2025 the Applicant's solicitor lodged documentation proving that the Application to Amend had been served on the Respondent within the required timescale.

### **Case Management Discussion**

7. The Case Management Discussion ("CMD") took place on 17<sup>th</sup> July 2025 by teleconference. The Applicant was represented by Mr Smart of Gilson Gray, Solicitors. The Respondent did not attend and was not represented.
8. Mr Smart asked that the application to Amend be allowed. Given that it had been served on the Respondent within the correct timescale the Tribunal allowed it.
9. Mr Smart asked that an order be granted for payment, in the amount of £5206.05 with interest at the rate of 8%, made up of £3012.68 by way of rent arrears, £806.87 for repairs and £1386.50 in costs. Given that there was no challenge by the Respondent the Tribunal was able to grant the order as sought.
10. The Tribunal was not prepared to grant interest at the rate of eight per centum per annum as it is in excess of the currently lending rate, but was prepared to grant interest at the rate of four per centum per annum. Mr smart accepted this figure.

### **Findings in Fact**

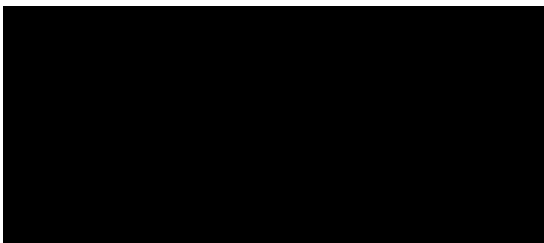
- i. The parties entered in to a tenancy agreement for rent of the property;
- ii. The monthly rent was £695;
- iii. At the end of the tenancy the rent arrears owed were £3012.68;
- iv. The Applicant submitted documentation regarding a claim of £806.87 for repairs;
- v. The Applicant submitted documentation regarding a claim of £1386.50 for reasonable costs.

## **Reasons for Decision**

The Respondent did not appear and did not challenge the sum sought.

## **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.**



**17 June 2025**

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**Date**