



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/25/1039

Re: Property at 7 Parliament Place, Lochgelly, KY5 0XD (“the Property”)

Parties:

Mrs Rona Couser, 2 Kirk Drive Leslie, Glenrothes, Fife, KY6 3NA (“the Applicant”)

Mrs Lauren Sutherland, Mr Robert Sutherland, 7 Parliament Place, Lochgelly, KY5 0XD (“the Respondents”)

Tribunal Members:

Ms H Forbes (Legal Member) and Mrs F Wood (Ordinary Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment should be granted in favour of the Applicant in the sum of £4755.80.

Background

1. This is a Rule 111 application whereby the Applicant was seeking an order for payment in the sum of £4755.80 in respect of rent arrears. The Applicant representative lodged a copy of a private residential tenancy agreement between the parties in respect of the Property, which tenancy commenced on 25th October 2023 at a monthly rent of £540. The Applicant representative also lodged a rent statement.
2. Service of the application and notification of a Case Management Discussion was made upon the Respondents by Sheriff Officer on 2nd October 2025.
3. By email dated 10th October 2025, the Applicant representative lodged an application to amend the sum sought to £7443.58.

The Case Management Discussion

4. A Case Management Discussion ("CMD") took place by telephone conference on 11th November 2025. The Applicant was not in attendance and was represented by Mr Murray, Solicitor. The Respondents were not in attendance. The start of the CMD was delayed to allow the Respondents to attend.
5. The Tribunal considered the terms of Rule 29. The Tribunal determined that the requirements of Rule 17(2) had been satisfied, and it was appropriate to proceed with the application in the absence of the Respondents.
6. There was some discussion about the application to amend. No evidence had been provided that this had been served upon both Respondents in accordance with Rule 14A of the Procedural Rules. After a short adjournment to take instructions, Mr Murray confirmed that the Applicant was content to seek an order in the original sum sought. Mr Murray also confirmed that no further payment has been made of rent or towards the arrears.

Findings in Fact and Law

7.
 - (i) Parties entered into a private residential tenancy agreement in respect of the Property which commenced on 25th October 2023 at a monthly rent of £540
 - (ii) Rent lawfully due has not been paid by the Respondents to the Applicant.
 - (iii) The Applicant is entitled to recover rent lawfully due.

Reasons for Decision

8. Rent lawfully due is outstanding. The Applicant is entitled to recover rent lawfully due.

Decision

9. An order for payment is granted in favour of the Applicant in the sum of £4755.80.

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.

H Forbes

Legal Member/Chair

11th November 2025
Date