



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/25/1174

Re: Property at 5D Balmedie Drive, Dundee, DD4 8PG (“the Property”)

Parties:

Mr Lee McKelvie (CC INTO COMMUNICATIONS), 234 Coupar Angus Road, Muirhead, Dundee, DD2 5QN (“the Applicant”)

Mr Thomas Ballantine, 5D Balmedie Drive, Dundee, DD4 8PG (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member) and Elaine Munroe (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent is liable to make payment to the Applicant in the sum of FOUR THOUSAND FIVE HUNDRED AND NINETY-THREE POUNDS (£4,593.00) STERLING

Statement of Reasons

1. This Application called for its Case Management Discussion by teleconference call on 3 November 2025. The Applicant was represented by Ms Donnelly. The Respondent was neither present nor represented.
2. In this Application, the Applicant seeks a payment order. He claims that the Respondent has failed to make full payment of rent to him under and in terms of a Private Residential Tenancy agreement. By email dated 3 October 2025, the Applicant sought to amend the sum claimed from £2,974.25 to £4,593.00 under and in terms of Rule 14A of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”). That

application to amend was made in time, and the Tribunal therefore allowed it. The application was accompanied by an updated rent schedule.

3. In terms of Rule 17(4) of the Rules, the Tribunal may do anything at a CMD that it may do at a Hearing, including make a Decision. When making a Decision, the Tribunal requires to have regard to the overriding objection in Rule 2 to deal with proceedings justly. That includes the need to avoid unnecessary delay.
4. The Respondent has had an opportunity to attend the CMD or to lodge written representations objecting to the Application. He has done neither. In the circumstances, the Tribunal is satisfied that the Respondent does not dispute the allegations made against him in the Application.
5. Accordingly, the Tribunal unanimously determined that the Respondent is liable to make payment to the Applicant in the sum of £4,593. The Tribunal made the payment order in that amount.

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.

A Upton

Legal Member/Chair

03.11.2025
Date