



**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/25/0087**

**Re: Property at 0/2, 27 Plean Street, Yoker, Glasgow, G14 0YH (“the Property”)**

**Parties:**

**MRS MARGARET MOORE, MR JOHN MOORE, 13 CRICHTON AVENUE,  
CHESTER LE STREET, DURHAM, DH3 3ND (“the Applicant”)**

**Ms Rebecca Meehan, Mr Nathan Stewart, 0/2, 27 Plean Street, Yoker, Glasgow,  
G14 0YH (“the Respondent”)**

**Tribunal Members:**

**Ruth O'Hare (Legal Member) and Sandra Brydon (Ordinary Member)**

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

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondents are liable to pay the sum of Four thousand nine hundred pounds (£4900) Sterling to the Applicants under the terms of the tenancy agreement between the parties.

The Tribunal therefore made an order for payment in the sum of £4900.

**Background**

- 1** This is an application for a payment order under rule 111 of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 (“the Rules”) and section 71 of the 2016 Act. The Applicants sought to recover unpaid rent from the Respondents. The application was conjoined with an application for an eviction order under reference FTS/HPC/EV/25/0951 as the applications related to the same tenancy and same parties.
- 2** The application was referred to a case management discussion (“CMD”) to take place by teleconference on 25 November 2025. The Tribunal gave notice of the

CMD to the parties in accordance with Rule 17(2) of the Rules. Said notice was served upon the Respondents by sheriff officers on 14 October 2025.

- 3 Both parties were invited to make written representations. No written representations were received in advance of the CMD.

### **The CMD**

- 4 The CMD took place by teleconference on 25 November 2025. Miss Kirsty Haughie of 1-2 Let (Lettings and Sales) Ltd represented the Applicant. The Respondents were not in attendance.
- 5 Mrs Haughie explained that communication with the Respondents had been poor. The Applicant had made a recent right of entry application to the Tribunal to carry out the gas safety check. Miss Haughie had spoken with Ms Meehan when the Tribunal attended the property and had reminded her of the upcoming CMD. Mr Stewart was no longer residing at the property. The Tribunal noted that the Respondents had not made any written representations in response to the application, nor had they provided any explanation to the Tribunal as to the reason for their absence at the CMD. The Tribunal was satisfied that they had been given proper notice of the CMD under Rule 17(2) of the Rules. The Tribunal therefore delayed the start time of the CMD for a short period before determining to proceed in their absence.
- 6 The Tribunal had the following documents before it:-
  - (i) Form F application form;
  - (ii) Title sheet confirming the Applicants' ownership of the property;
  - (iii) Excerpt from the online landlord register confirming the Applicants' landlord registration;
  - (iv) Private residential tenancy agreement;
  - (v) Rent statements; and
  - (vi) Written mandate from the Applicants authorising 1-2 Let (Lettings and Sales) Ltd to act as their representative.
- 7 The Tribunal explained the purpose of the CMD and proceeded to hear submissions Miss Haughie on behalf of the Applicants.
- 8 Miss Haughie confirmed that the Applicants sought a payment order. The arrears now stand at £5850. No payments of rent have been made since November 2024. The Respondents have held the tenancy since 2018. They have previously fallen into arrears but have always managed to catch up. Mr Stewart is no longer residing at the property. However, he has not formally terminated the lease. The Respondents' communication with the Applicant has been poor. The Applicants via their agent 1-2 Let (Lettings and Sales) Ltd have written to the Respondents in accordance with the rent arrears pre-action protocol and have attempted to agree payment plans with them. The Respondents do not engage.

- 9 In response to questions from the Tribunal, Miss Haughie accepted that she was restricted to seeking a payment order in the sum of £4900 which reflected the Applicants' request of 23 September 2025 to increase the sum claimed. The Tribunal noted that this request had been intimated to the Respondents.
- 10 The Tribunal adjourned the CMD to deliberate, at which point parties left the call, before resuming the proceedings and confirming the outcome.

### **Findings in fact**

- 11 The Applicants are the owners and landlords, and the Respondents are the tenants, of the property in terms of a private residential tenancy agreement which commenced on 28 August 2018.
- 12 The contractual rent for the property is £475 per month.
- 13 There are rent arrears outstanding in the sum of £5850 as at the date of this decision.
- 14 Despite repeated requests the Respondents have failed to make payment of the rent arrears to the Applicants.

### **Reasons for decision**

- 15 The Tribunal was satisfied it had sufficient information to make relevant findings in fact based on the oral and written submissions and documentary evidence before it. The Respondents had been clearly advised in the CMD notification that the Tribunal could proceed to a decision at the CMD. They had provided no explanation for their failure to attend the discussion and had not sought to submit any evidence to the Tribunal to counter the documentary evidence submitted by the Applicants. The Tribunal was therefore satisfied it could reach a decision in the absence of a hearing until rule 18 of the Rules.
- 16 The Tribunal accepted based on the documentary evidence before it that the Respondents had failed to pay rent lawfully due under the terms of the tenancy agreement, resulting in rent arrears of £5850 as at the date of this decision. However, in the absence of a formal request to increase the sum under Rule 14A of the Rules, the Tribunal was restricted to making an order for payment in the sum of £4900.
- 17 The Tribunal therefore made an order for payment in the sum of £4900. The decision of the Tribunal was unanimous.

### **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.



**Legal Member/Chair**

**Date: 25 November 2025**

Ruth O'Hare