



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”)

Chamber Ref: FTS/HPC/CV/25/2129

Re: Property at 32 Main Street, Coaltown of Wemyss, Fife, KY1 4LZ (“the Property”)

Parties:

Mr William Drysdale, 20 Wellesley Road, Buckhaven, Fife, KY8 1HT (“the Applicant”)

Mr Ritchie Stanley, 32 Main Street, Coaltown of Wemyss, Fife, KY1 4LZ (“the Respondent”)

Tribunal Members:

Alastair Houston (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 an order for payment of £3150.00 be made in favour of the Applicant.

1. Background

1.1 This is an application under rule 109 of the Chamber Rules whereby the Applicant sought an eviction order in respect of the private residential tenancy between the parties. The application was conjoined with the application reference FTS/HPC/EV/25/2122. The application was accompanied by, amongst other things, copies of a rent statement and the written tenancy agreement between the parties.

1.2 No written representations by the Respondents had been received by the Tribunal in advance of the Case Management Discussion.

2. The Case Management Discussion

2.1 The Case Management Discussion took place on 17 July 2025 by teleconference. The Applicant was represented by Mr Murray of James Thomson & Son Solicitor. The Respondent did not attend and was not represented.

2.2 The Applicant's representative confirmed that the applications were insisted upon and wished to proceed in the Respondent's absence. Given that intimation of the applications and Case Management Discussion had been given to them by sheriff officers, the Tribunal considered it appropriate to proceed in their absence as permitted by rule 29 of the Chamber Rules.

2.3 The Applicant's representative confirmed the Respondent had failed to make payment of rent. No payment had been received since November 2024. As at the date of making the application, £3150.00 was outstanding as per the rent statement and this was the sum that was sought.

2.4 The Tribunal indicated that an order for payment of £3150.00 would be made.

3. Reasons For Decision

3.1 In the absence of any information to the contrary, the Tribunal considered there to be a contractual obligation upon the Respondent to make payment of £450.00 per month as detailed in the tenancy agreement. The Respondent had failed to make payment and this was detailed in the rent statement provided.

3.2 In the absence of any representations as to why this sum would not be lawfully due, the Tribunal made an order for payment as 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.

Alastair Houston

Legal Member/Chair

17 November 2025

Date