



**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/25/2390**

**Re: Property at 75 Flat 2, High Street, Inverurie, AB51 3QJ ("the Property")**

**Parties:**

**Miss Hannah Simpson, 3 Forgue Road, Rothienorman, Inverurie, Aberdeenshire, AB51 8YH ("the Applicant")**

**Miss Marie Neil, whose present whereabouts are to the Applicant unknown ("the Respondent")**

**Tribunal Members:**

**Gillian Buchanan (Legal Member)**

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

At the Case Management Discussion ("CMD"), which took place by telephone conference on 3 December 2025, the Applicant was represented by Mr McTigue of Jackson Boyd LLP, Solicitors, Glasgow. The Respondent was neither present nor represented and had lodged no written representations.

The tribunal was satisfied that the requirements of Rule 24(1) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ("the Rules") had been satisfied relative to the First Respondent having received notice of the CMD and determined to proceed in the absence of the Respondent in terms of Rule 29.

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that:-**

**Background**

The Tribunal noted the following background:-

- i. The Applicant leased the Property to the Respondent in terms of a Private Residential Tenancy Agreement ("the PRT") that commenced on 1 May 2022.
- ii. The rent payable in terms of the PRT was £420 per calendar month.
- iii. A deposit was paid by the Respondent per the PRT in a sum of £420.
- iv. The PRT ended on 13 October 2024.
- v. The application is for a payment order in a sum of £3090 by way of rent arrears.

### **The CMD**

At the CMD Mr McTigue for the Applicant made the following representations:-

- i. The Respondent vacated the Property on 13 October 2024.
- ii. The Rent Statement produced incorrectly includes rent arrears to 31 October 2024.
- iii. The deposit has been recovered in full by the Applicant and has been offset against the total rent arrears due.
- iv. The Applicant therefore seeks payment order in the reduced sum of £2832.58 being the balance of the arrears due as at 13 October 2024.

### **Findings in Fact**

- i. The Applicant leased the Property to the Respondent in terms of the PRT that commenced on 1 May 2022.
- ii. The rent payable in terms of the PRT was £420 per calendar month.
- iii. A deposit was paid by the Respondent per the PRT in a sum of £420.
- iv. The Respondent vacated the Property and the PRT ended on 13 October 2024.
- v. The deposit has been recovered in full by the Applicant and had been offset against the total rent arrears due.
- vi. The rent arrears remaining due by the Respondent to the Applicant are £2832.58.

### **Reasons for Decision**

The Respondent did not submit any representations to the Tribunal and did not attend the CMD. The factual background narrated by the Applicant within the application papers and orally by Mr McTigue at the CMD was not challenged and was accepted by the Tribunal.

The Tribunal granted the Applicant's application in the reduced sum of £2832.58.

### **Decision**

The Tribunal granted a payment order against the Respondent in favour of the Applicant in the sum of £2832.58.

### **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.**

# G Buchanan

Legal Member/Chair

— 3 December 2025  
Date