



**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.**

**Chamber Ref: FTS/HPC/CV/25/0426**

**Re: Property at Flat 1-3, 22 John Street, Gourock, Inverclyde, PA19 1PS (“the Property”)**

**Parties:**

**Miss Emma Rice, 17 Victoria Road, Gourock, PA19 1LD (“the Applicant”)**

**Mr Paul Murray, 19 Darroch Drive, Gourock, PA19 1SF (“the Respondent”)**

**Tribunal Members:**

**Lesley Ward (Legal Member)**

**1. Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent shall make payment to the Applicant for the sum of two thousand two hundred and sixty pounds (£2260 payable in monthly instalments of one hundred pounds per month (£100) until paid.**

**Background**

3. This was a case management discussion (‘CMD’) for an application to recover rent arrears in terms of section 71 of the Private Housing (Tenancies) (Scotland) Act 2014 (‘the Act’) and rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, (‘the rules’). The case called for a CMD by conference call on 12 December 2025. The Applicant did not attend but was represented by Mr Andrew Bowman of Bowman Rebecchi Letting Agents. The Respondent also attended.

## **Case management discussion**

4. The Applicant was seeking an order for the sum of £2260 but was amenable to receiving payment by instalments. The Respondent accepted that the arrears were due. He stated that he had made an application for Universal Credit, but he was evicted from the property before the claim was finalised, and he did not receive his backdated award of Universal Credit to enable him to apply this to the arrears. He left the property around October 2024. He has also made a claim to the tribunal for unlawful eviction which has still to progress to a CMD. The Respondent is unemployed but anticipates being in employment soon. He would be willing to repay the sum of £2260 at the rate of £100 per month. This was acceptable to the Applicant.

## **5. Findings in fact**

- The Applicant is the registered landlords and owner of the property.
- The parties entered into a private residential tenancy agreement ('PRT') for let of the Property in October 2022 with a start date of 1 November 2022.
- The tenancy agreement had an agreed rent of £525 per month.
- Rent arrears began to accrue in February 2024.
- The Respondent left the Property around October 2024.
- The deposit was £525 and this was applied towards the arrears.
- The rent arrears in September were £2266.
- The sum of £2266 remains outstanding.
- The Applicant's application is for the sum of £2260.

## **Reasons**

6. The Tribunal was satisfied that it had sufficient information before it to make a decision and the procedure has been fair. This was an undefended application to recover rent arrears arising out of a PRT as set out in the rent statement provided. The deposit of £525 had been applied to the arrears. There were rent arrears of £2266. Due to a typographical error the Applicant has only sought £2260 in her application. The Respondent admitted the debt and he was willing to repay the arrears at £100 per month. This was acceptable to the Applicant.

7. The Tribunal was satisfied on the balance of probability that the sum of £2260 was due. The Tribunal accordingly granted an order for this sum.

## **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.**

# **Lesley Ward**

**Lesley Anne Ward**

**Legal Member/Chair**

**Date 12 December 2025**