

**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)  
Act 2014**

**Chamber Ref: FTS/HPC/CV/25/2917**

**Re: Property at Pityot Cottage, Muchalls, Stonehaven, AB39 3RR (“the  
Property”)**

**Parties:**

**Trustees of the Aberdeen Endowments Trust, 19 Albert Street, Aberdeen, AB25  
1QF (“the Applicant”)**

**Mr George Addison, latterly residing at Pityot Cottage, Muchalls, Stonehaven,  
AB39 3RR and whose current whereabouts are to the applicant unknown (“the  
Respondent”)**

**Tribunal Members:**

**Jim Bauld (Legal Member) and Elizabeth Dickson (Ordinary Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order should be granted for payment in the sum  
of EIGHT THOUSAND FOUR HUNDRED AND SEVENTY POUNDS AND FORTY  
PENCE (£8,470.40) together with interest at the rate of 8% per annum**

**Background**

1. By application dated 7 July 2025, the applicant sought an order under section 16 of the Housing (Scotland) Act 2014. (“the Act”) and in terms of rule 70 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the procedure rules”).

2. On 29 July 2025 the application was accepted by the tribunal and referred for determination by the tribunal
3. A Case Management Discussion (CMD) was set to take place on 13 January 2026, and appropriate intimation of that hearing was given to both parties.

### **The Case Management Discussion**

4. The Case Management Discussion (CMD) took place on 13 January 2026. The applicant was represented by Ms. Joanne Mirtchell, solicitor, Ledingham Chalmers, Aberdeen. The respondent was not present
5. The tribunal explained the purpose of the CMD and the powers available to the tribunal to determine matters.
6. The tribunal asked various questions of the applicant's solicitor with regard to the application. She confirmed that rent arrears now stood at £4,169.
7. She confirmed that she also wished to seek a payment order in respect of the sums expended in carrying out the cleaning procedures at the property on 17th November 2025. Appropriate vouching for those costs had been provided to the tribunal and amounted to £4,021.
8. Additionally, she sought interest on the rent arrears at the contractual interest rate specified in the tenancy agreement which she calculated as being £280.40.
9. The total sum being claimed was £8,470.40.
10. The applicant's representative confirmed that she wished the order for payment to be made. She conceded that the rate of interest to be applied to any sum awarded was at the tribunal's discretion.

### **Findings in Fact**

11. The Applicants were the registered owner of the property.
12. The applicant and the respondent are respectively the landlord and the tenant of the property by means of a tenancy agreement originally commencing on 1 November.

13. The tenancy was a short assured tenancy in terms of the Housing (Scotland) Act 1988.

14. The initial agreed monthly rental was £285 and was now £513 per month.

15. The respondent has accrued rent arrears of £4,169 as at 13 January 2026. Interest was due on those arrears at a rate of interest of 20% specified in the tenancy agreement and amounted to £280.40 as at 13 January 2026.

16. The respondent has neglected the interior of the property to the extent that the applicant required to instruct contractors to attend on 17 November 2025 to carry out a cleaning and fumigation of the property and to remove various items of rubbish. The cost of the cleaning and other works amounted to £4,021.

17. Appropriate accounting had been provided in respect of the outstanding sums claimed with the application to the tribunal.

### **Reasons for Decision**

18. The tribunal accepted the unchallenged evidence of the applicant regarding the outstanding sums and granted the order for payment sought. The tribunal will award interest on that sum at the usual judicial rate of 8% per annum.

19. The tribunal also exercised the power within rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 and determined that a final order should be made at the CMD.

### **Decision**

The order for payment of the sum of £8,470.80 is granted together with interest at the rate of 8% per annum

### **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.

Jim Bauld

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Legal Member/Chair

13 January 2026  
Date