

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/25/2688

Re: Property at 10 Orchid Place, Carrbridge, PH23 3BF (“the Property”)

Parties:

Highland Housing Alliance, Fairways, Castle Heather, Inverness, IV2 6AA (“the Applicant”)

Mr John Michael Waring, 10 Orchid Place, Carrbridge, PH23 3BF (“the Respondent”)

Tribunal Members:

Alison Kelly (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment should be made.

Background

1. The Applicant lodged an application on 20th June 2025 under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.
2. Lodged with the Application were:
 - i. Copy Private Residential Tenancy Agreement showing a commencement date of 1st July 2023 and a rent of £620.13 per month;
 - ii. Copy Rent Statement showing arrears of £3810.01 as at 1st June 2025;
 - iii. Copy Rent Increase Notice dated 10th April 2024 raising the rent to £651.28.
3. The Application was served on the Respondent by Sheriff Officers on 10th November 2025.

4. On 11th December 2025 the tribunal received an email from Mr Mackenzie of Inverness CAB, who is representing the Respondent, outlining some mitigating factors on the Respondent's behalf.
5. On 18th December 2025 the Applicant's solicitor sent an email to the Tribunal attaching an up to date rent statement and seeking to amend the sum sought to £4131.24.

. Case Management Discussion

6. The Case Management Discussion ("CMD") took place by teleconference. The Applicant was represented by Miss Callaghan of TC Young, Solicitors. Miss Campbell and Miss Mathieson, employees of the applicant, were also on the call. The Respondent was represented by Mr Mackenzie of Inverness CAB, and he was also present on the call.
7. The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.
8. After an adjournment to check figures the parties agreed that the rent outstanding as at 31st December 2025 was £3303.68.
9. Miss Callaghan asked for interest on the outstanding sum at the rate of 8% per annum. She conceded that there was no contractual entitlement to interest.

Findings in Fact

- a. The parties entered in to a tenancy agreement for rent of the property;
- b. On 31st December 2025 the rent arrears owed were £3303.68.

Reasons for Decision

10. The Respondent owes rent to the Applicant as at 31st December 2025 in the amount of £3303.68.
11. The Tribunal was not prepared to award interest as there was no contractual provision for it to be applied to missed rent payments.

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

9TH January 2026

Date