

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Chamber Ref: FTS/HPC/CV/25/2853

Re: Property at 26 Castings Court, Falkirk, FK2 7BA (“the Property”)

Parties:

Alexander Eastman, Alun Coulter, Wellacre Cottage, Scotia Place, Falkirk, FK2 7AJ; 4 Strathyre Place, Falkirk, FK1 5UU (“the Applicants”)

Mr Mark Winstanley, 2 Castings Court, Falkirk, FK2 7BA (“the Respondent”)

Tribunal Members:

James Bauld (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 should be granted for payment in the sum of FIVE THOUSAND, ONE HUNDRED AND FORTY POUNDS (£5,140.00) together with interest at the rate of 8% per annum

Background

1. By application dated 2 July 2025, the applicants sought an order under section 51 of (“the Act”) and in terms of rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the procedure rules”).
2. On 24 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 8 January 2026 and appropriate intimation of that hearing was given to the parties.

The Case Management Discussion

4. The Case Management Discussion (CMD) took place on via telephone case conference. The applicants were not in attendance but were represented by Ms Capaldi, solicitor, BKF, Solicitors, Glasgow. . The Respondent did not take part.
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 applicants' solicitor with regard to the application.
7. The applicants' solicitor confirmed that she wished the order for payment to be made.

Findings in Fact

8. The Applicants are the registered owner of the property.
9. The Applicants and the Respondent as respectively the landlord and tenants entered into a tenancy of the property which commenced on 12 October 2021.
10. The tenancy was a private residential tenancy in terms of the Act.
11. The initial agreed monthly rental was £540.
12. Arrears had started to accrue in January 2025 and at the date of the lodging of the application arrears amounted to £1,900.
13. The amount of arrears at the date of the CMD was £5,140.
14. Appropriate accounting had been provided in respect of the outstanding rent with the application to the tribunal.

Reasons for Decision

15. The tribunal accepted the unchallenged evidence of the applicant regarding the outstanding sums.
16. The amount outstanding at the date of the CMD was £5,140 and an appropriate application had been lodged and intimated by the applicants'

solicitor increasing the sum claimed to £5,140. The tribunal was content to make an order for payment of the amended sum claimed.

17. 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 £5,140 together with interest at the rate of 8% per annum is granted

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

James Bauld

Date 8 January 2026_____