



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) in terms of Rule 17(4) of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) in respect of an application under Section 16 of the Housing (Scotland) Act 2014 (“the 2014 Act”) and Rule 70 of the Rules**

**Chamber Ref: FTS/HPC/CV/25/2188**

**Re: Property at 20 McLellan Street, Dumfries, DG1 2JU (“the Property”)**

**Parties:**

**Ms Suzanne Jackson, c/o Pollock & McLean, 41 Castle Street, Dumfries, DG1 1DU (“the Applicant”)per her agents, Pollock & McLean, 41 Castle Street, Dumfries, DG1 1DU (“the Applicant’s Agents”)**

**Mr Alexander Nichol and Mrs Ashley Nichol, Tomoyra, Craigs Road, Dumfries, DG1 4EU (“the Respondents”)**

**Tribunal Members:**

**Karen Moore (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Order in the sum of TWELVE THOUSAND FIVE HUNDRED AND SEVENTY POUNDS (£12,570.00) Sterling as sought.**

**Background**

1. By application received on 21 May 2025(“the Application”), the Applicants’ Agents applied to the Tribunal for an Order for payment of rent due and owing by the Respondents in respect of a former tenancy at the Property. The Application comprised a copy assured tenancy agreement between the

Parties and a copy rent statement showing rent amounting to £12,570.00 due and owing at the end of the tenancy.

2. The Application was accepted by the Tribunal Chamber and a Case Management Discussion (the “CMD”) was fixed for 19 December 2025 at 14.00 by telephone conference and intimated to the Parties.

### **CMD**

3. The CMD took place on 19 December 2025 at 14.00 by telephone. The Applicant was not both present and was represented by Mr. Bryce of the Applicant’s Agents. The Respondents were not present and were not represented. The Tribunal noted that the Application had been intimated on both Respondents by Sheriff Officer on 30 October 2025 and so was satisfied that they were aware of the proceedings and aware that they ought to attend. Therefore, the Tribunal proceeded in their absence.
4. Mr. Bryce confirmed that an Order for £12,570.00 was sought.

### **Findings in Fact**

5. From the Application and the CMD, the Tribunal made the following findings in fact: -
  - i) There had been a tenancy of the Property between the Parties and
  - ii) The Respondents accrued rent arrears of £12,570.00 during that tenancy which sum remains unpaid.

### **Decision and Reasons for Decision**

6. The Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal “*may do anything at a case management discussion .....including making a decision*” . The Tribunal took the view that it had sufficient information to make a decision and so proceeded to determine the Application.

7. The Tribunal had regard to the facts that the Respondents owe the sum of £12,570.00 and that the Application is not opposed. Accordingly, the Tribunal granted the Order as sought.

### **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.**



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**Legal Member/Chair**

**19 December 2025**  
**Date**