



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 (“the 2016 Act”)

Chamber Ref: FTS/HPC/CV/25/2418

Re: Property at 56 Livingstone Terrace, Irvine, North Ayrshire, KA12 9DN (“the Property”)

Parties:

Easton Property Ayrshire Limited, 2 Newfield Drive, Dundonald, South Ayrshire, KA2 9EW (“the Applicant”)

Ms Chloe McLauchlan, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Ruth O'Hare (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 the Respondent is liable to pay the Applicant the sum of Four thousand pounds (£4000) Sterling under the terms of the tenancy agreement between the parties.

The Tribunal therefore made an order for payment in the sum of £4000.

Background

- 1** This is an application for a payment order arising from a private residential tenancy under rule 111 of the First-tier Tribunal (Housing and Property Chamber) Rules of Procedure 2017 (“the Rules”) and section 71 of the 2016 Act. The Applicant sought an order for payment in respect of unpaid rent in the sum of £4000.
- 2** The application was referred to a case management discussion (“CMD”) to take place by teleconference on 11 November 2025. The Tribunal attempted to give notice to the Respondent under Rule 17(2) of the Rules. Sheriff officers attended the let property but found it to be empty and to let with estate agents. Enquiries

with neighbours confirmed that the Respondent had left around 10-12 weeks ago. The Tribunal therefore proceeded to give the Respondent notice by advertisement on the Tribunal's website. An email was sent to the Respondent advising her of this.

- 3 Following an administrative error, the CMD was rescheduled for 5 January 2026 to allow for proper notice to be given to the Respondent. Said notice was served by advertisement on the Tribunal's website between 18 November 2025 and 5 January 2026.
- 4 Both parties were invited to make written representations. No written representations were received in advance of the CMD.

The CMD

- 5 The CMD took place on 5 January 2026 by teleconference. Miss Aynsley Barclay represented the Applicant. The Respondent did not join the call. The Tribunal delayed the CMD for a short period before determining to proceed in her absence, noting that she had been given notice of the CMD under Rules 6A and 17(2) of the Rules.
- 6 The Tribunal heard submissions from Miss Barclay. She confirmed that the Respondent was no longer residing at the property and the tenancy had terminated. The Applicant sought a payment order in the sum of £4000. The Respondent's rent payments had been inconsistent, resulting in arrears accruing. The Respondent had made no attempts to address the arrears, nor made a payment plan to clear the balance.

Findings in fact

- 7 The Applicant is the owner and landlord, and the Respondent was the tenant of the property, in terms of a private residential tenancy agreement.
- 8 The contractual rent was £435 per month. The rent was increased incrementally to £450 per month on 19 April 2022, £485 per month on 19 August 2023, and £500 per month on 19 August 2024.
- 9 The Respondent did not pay rent as agreed. The Respondent accrued rent arrears in the sum of £4000.
- 10 The Respondent has refused or delayed in making payment of the sum due.

Reasons for decision

- 11 The Tribunal was satisfied that it could reach a decision on the application at the CMD and in the absence of a hearing under Rule 18 of the Rules. The Respondent had not sought to oppose the application and had not presented any evidence to contradict what had been submitted by the Applicant.

- 12** Based on its findings in fact the Tribunal accepted that the Respondent had a contractual obligation to pay rent to the Respondent and breached that obligation, resulting in rent arrears of £4000. The Tribunal further accepted that the Respondent has to date refused or delayed in making payment of that sum.
- 13** The Tribunal therefore made an order for payment in the sum of £4000. The decision of the Tribunal was unanimous.

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.

R.O'Hare

5 January 2026

Legal Member/Chair

Date