

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 Private Housing
(Tenancies) (Scotland) Act 2016 (“the 2016 Act”)**

Chamber Ref: FTS/HPC/EV/25/3669

Property at Flat 3/1, 51 Larkfield Gate, Glasgow, G42 7BT (“the Property”)

Parties:

C-urb 6 Ltd, Link House, 2c New Mart Road, Edinburgh, EH14 1RL (“the Applicant”)

Mr Grant Curran, Flat 3/1, 51 Larkfield Gate, Glasgow, G42 7BT (“the Respondent”)

Tribunal Members:

Josephine Bonnar (Legal Member) and Helen Barclay (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment should be granted against the Respondent in favour of the Applicant for the sum of £10,673.10. The Tribunal also ordered a delay in execution of the order until 9 April 2026 in terms of Rule 16A(d) of the Procedure Rules 2017.

Background

1. The Applicant lodged an application for a payment order in relation to unpaid rent. The application was served on the Respondent by email, and both parties were notified that a hearing would take place at Glasgow Tribunals Centre on 15 January 2026. Prior to the Hearing, the Applicant lodged an updated rent statement. The Respondent did not lodge any documents or submissions.
2. On 6 January 2026, the Respondent requested a postponement of the Hearing as he had only recently noticed the email with the date of the hearing and needed time to instruct a solicitor. The Tribunal noted that the Respondent had been aware that his previous agent, who had been instructed in relation to the related eviction application, had withdrawn in August 2025 and should have

taken steps to seek a new representative at that time. The request was refused.

3. The Hearing took place on 15 January 2026. The Applicant was represented by Ms Preece, solicitor. Ms Hallis, an employee of the Applicant also attended, and two further members of staff were present as observers. The Respondent also attended. The Hearing started late as the parties has requested time to discuss the application as well as the related application for an eviction order under Chamber reference EV/25/0083, which was also being considered at the hearing.

The Hearing

4. Ms Preece told the Tribunal that Mr Curran had informed the Applicant that he intends to terminate the tenancy and was willing to consent to an eviction order as long as there is a delay in enforcement of the order for 8 to 12 weeks. She stated that the Applicant was willing to agree to an order on this basis. Ms Preece stated that the order will only be enforced if the Respondent does not terminate the tenancy and vacate the property voluntarily. However, should he change his mind and decide that he wants to stay in the property, the Applicant may be willing to agree to this, if he resumes payments to the rent account and to the arrears. Ms Preece also confirmed that there have been no recent complaints of antisocial behaviour and that this ground was withdrawn. In relation to the payment application, Ms Preece said that the Applicant was seeking a payment order for the sum specified in the updated rent statement but was also content for a delay in enforcement for the same period as the eviction order.
5. Mr Curran told the Tribunal that he does not want to stay in the property and was willing to consent to an eviction order, as long as he gets some time to find alternative accommodation. He confirmed that the property is a one-bedroom flat and although he has three children, they don't live with him. He explained that he has had mental health problems and is on medication prescribed by his doctor. He is currently not working and receives Universal Credit. However, he is hoping to find work. He was previously in the army and applied for assistance with his rent arrears from SSAFA. They said that he was not eligible at that time, but he can apply again this year if he gets into regular work. Mr Curran confirmed that the sum specified in the updated rent statement is due.

Findings in Fact

6. The Applicant is the landlord of the property.
7. The Respondent is the tenant of the property in terms of a private residential tenancy agreement.
8. The Respondent is due to pay rent at the rate of £515.28 per month.

9. The Respondent has been in arrears of rent since July 2021, and no payments have been made by the Respondent since February 2025
10. The Respondent currently owes £10,673.10 in unpaid rent.

Reasons for Decision

11. The Applicant lodged an updated rent statement in advance of the hearing which showed a sum currently outstanding of £10,673.10. The Respondent confirmed at the hearing that this sum is unpaid and due. The Tribunal is therefore satisfied that a payment order should be granted against the Respondent, for this sum.
12. The parties made a joint request for an order to delay enforcement of the order for 8 to 12 weeks. The Tribunal is satisfied that they should order a delay in execution in terms of Rule 16A (d) of the Procedure Rules 2017 to 9 April 2026.

Decision

13. The Tribunal determines that a payment order should be granted against the Respondent.

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.

Josephine Bonnar, Legal Member

15 January 2026.