



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 and Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“The Regulations”).**

**Chamber Ref: FTS/HPC/CV/25/3188**

**Re: Property at 7 Rose Street, Lesmahagow, ML11 0HT (“the Property”)**

**Parties:**

**Mr Peter Wilkinson, Hafton Castle, Hunters Quay, Dunoon, PA23 8HP (“the Applicant”)**

**Mr Alan Nairn, 14 Braeside Lane, Kirkmuirhill, Lanark, ML11 9SF (“the Respondent”)**

**Tribunal Member:**

**Martin McAllister (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order of payment be made requiring the Respondent to pay the sum of ONE THOUSAND THREE HUNDRED AND THIRTY FOUR POUNDS 20 pence (£1334.20) to the Applicant.**

**Background**

1. On 19 July 2025, the Applicant submitted an application to the First-tier Tribunal for Scotland seeking an order of payment.
2. On 11 August 2025, the application was accepted for determination by the Tribunal.
3. A case management discussion was held by audio conference on 13 January 2026.

#### The case management discussion

4. The Applicant participated in the case management discussion.
5. There was no appearance from the Respondent. It was established that details of the case management discussion had been intimated to him on 21 November 2025 by Sheriff Officer.
6. The Legal Member explained the purpose of a case management discussion.
7. Mr Wilkinson indicated that he had no other evidence to submit to the Tribunal and that it would therefore be possible to determine the application without a Hearing.
8. Findings in Fact
  - (i) The Applicant and the Respondent entered into a private residential tenancy agreement in respect of the Property on 1 November 2019.
  - (ii) The tenancy commenced on 1 November 2019.
  - (iii) The monthly rent due under the private residential tenancy was £380.
  - (iv) The tenancy terminated prior to 21 December 2023.
  - (v) The rent arrears due as at 21 December 2023 were £1334.20.

#### 9. Documents before Tribunal

- (i) Private residential tenancy agreement dated 24<sup>th</sup> February 2022.
- (ii) Rent statement.

#### Applicant's Position

10. Mr Wilkinson said that letting agents had dealt with the tenancy and that he therefore did not have immediate access to records showing when the tenancy terminated. He said that it would be prior to 21 December 2023.
11. Ms Wilkinson said that the sum sought was in respect of arrears of rent and that the sum of £1334.20 was what was due at the termination of the tenancy after taking into account the returned tenancy deposit. He referred the tribunal to the rent statement which had been submitted and which showed that the tenancy deposit had been credited to the rent account on 21 December 2023 and that the final figure for rent arrears was £1334.20.

### Reasons for Decision

12. The tribunal saw no reason for determination of the application to be continued to a Hearing. Arrangements for the case management discussion had been intimated to the Respondent and he had not attended and had not submitted written representations.

### Decision

13. The tribunal determined that the application be granted and that an order of payment be made in the sum of £1334.20.

### **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.**

**Martin J. McAllister  
Legal Member**

**Date: 13<sup>th</sup> January 2026**