



**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/24/2141

Re: Property at 10 Park St, Nairn, IV12 4PN ("the Property")

Parties:

Mr Andrew Young, Firthview, Altonburn Road, NAIRN, IV12 5NB ("the Applicant")

Miss Jade Williams, formerly residing at 10 Park St, Nairn, IV12 4PN and whose present whereabouts are unknown ("the Respondent")

Tribunal Members:

James Bauld (Legal 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 AND FOUR HUNDRED POUNDS (£5,400.00) together with interest at the rate of 8% per annum

Background

1. By application dated 8 May 2024, the applicant sought an order under section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 ("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 May 2024 the application was accepted by the tribunal and referred for determination by the tribunal
3. After sundry procedure, involving case management discussions on 21 October 2024 and 13 June 2025, a further Case Management Discussion (CMD) was

set to take place on 29 January 2026, and appropriate intimation of that hearing was given to the parties. Service on the respondent was effected by advertisement on the tribunal's website in accordance with rule 6A of the procedure rules.

The Case Management Discussion

4. The Case Management Discussion (CMD) took place on via telephone case conference. The applicant was in attendance. 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 applicant with regard to the application.
7. The applicant confirmed that he wished the order for payment to be made.

Findings in Fact

8. The Applicants is the registered owner of the property.
9. The Applicant and the Respondent as respectively the landlord and tenant entered into a tenancy of the property which commenced on 126 June 2021.
10. The tenancy was a private residential tenancy in terms of the Act.
11. The initial agreed monthly rental was £550.
12. The tenancy ended on 1 November 2024
13. Arrears had started to accrue during the tenancy and at the date of the lodging of the application arrears amounted to £4,340.
14. The amount of arrears at the termination of the tenancy and at date of the CMD was £5,400.
15. Appropriate accounting had been provided in respect of the outstanding rent with the application to the tribunal.

Reasons for Decision

16. The tribunal accepted the unchallenged evidence of the applicant regarding the outstanding sums. The evidence included a “promissory note” dated 1 November 2024 and signed by the respondent accepting the sum claimed was due and agreeing to repay it by instalments of £150 per month. No payments have been made.
17. The amount outstanding at the date of the CMD was £5,400 and an appropriate application had been made at a previous CMD increasing the sum claimed to £5,400. The tribunal was content to make an order for payment of the amended sum claimed.
18. 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 £5,400 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.

James Bauld

29th January 2026

Legal Member/Chair

Date