



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

Chamber Ref: FTS/HPC/CV/25/3489

Re: Property at 531 Castlemilk Road, Glasgow, G44 5LX (“the Property”)

Parties:

AVSCO LTD, Clyde Offices, 2nd Floor, 48 West George Street, Glasgow, G2 1BP (“the Applicant”)

Mr Emry James Fairgrieve, Unknown, Unknown (“the Respondent”)

Tribunal Members:

Nicola Irvine (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted an Order for Payment against the Respondent in favour of the Applicant in the sum of £3,050 with interest at the rate of 4% per annum from the date of this decision until payment.

Background

1. The Applicant submitted an application under Rule 111 of the Housing & Property Chamber Procedure Regulations 2017 (“the Rules”). The Applicant sought an order for payment in the sum of £3,400 in respect of arrears said to have been incurred by the Respondent.
2. A Convenor of the Housing and Property Chamber (“HPC”) having delegated power for the purpose, referred the application under Rule 9 of the Rules to a case management discussion (“CMD”).
3. The Tribunal assigned a CMD for 5 February 2026 at 10am, to take place by conference call. The Tribunal instructed sheriff officers to serve a copy of the

application on the Respondent. Sheriff officers reported that the Respondent had vacated the Property and a forwarding address could not be identified. On 30 December 2025, the Tribunal served on the Respondent by advertisement on the Tribunal website and provided the date and time of the CMD.

The case management discussion – 5 February 2026

4. The CMD took place by conference call. The Applicant was represented by Mr. Hassan Qasim, solicitor. The Respondent did not join the conference call and the discussion proceeded in his absence. The Tribunal explained the purpose of the CMD.
5. The Applicant's representative explained that rent arrears started to accrue in May 2025 and the Respondent vacated the Property on 1 October 2025. The Respondent agreed to pay the rent arrears by instalments of £400 per month and made payments in that sum in November, December and January. The current balance of rent arrears is £3,050 and the Applicant's representative moved for an order for payment in that sum.

Findings in Fact

6. The Applicant is the owner and landlord of the Property at 531 Castlemilk Road, Glasgow, G44 5LX
7. The Respondent was the tenant of the Property.
8. The tenancy in question is a private residential tenancy which commenced on 21 October 2024.
9. The contractual monthly rent was £850, payable in advance.
10. The Respondent accrued rent arrears in the sum of £3,050.
11. The Respondent is liable to pay the Applicant £3,050 in respect of rent arrears.

Reason for Decision

12. The Tribunal was satisfied that it could make relevant findings in fact in order to reach a decision following the CMD, and that to do so would not be contrary to the interests of the parties in this case. The Respondent had been given the opportunity to attend the CMD but did not participate. The Tribunal therefore considered it could accept the evidence and submissions on behalf of the Applicant, there being no contradictory evidence before it.
13. The Tribunal was satisfied that the Respondent had a contractual obligation to pay rent of £850 per month. The Respondent had failed to comply with his

obligation in this regard, resulting in arrears of £3,050 being due. The Respondent had not sought to dispute this.

14. The Applicant's representative also sought interest on the sum due at the judicial rate. It was accepted that there was no contractual provision for interest. However, the Applicant's representative moved the Tribunal to exercise its discretion in terms of Rule 41A. The sums due have been outstanding for many months. The Tribunal exercised its discretion and awarded interest at the rate of 4% per annum from today's date until payment.

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.

N. Irvine

Legal Member/Chair

5 February 2026

Date