



**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/25/0010

Re: Property at 1/L 24 Park Avenue, Stobswell, Dundee, DD4 6LU ("the Property")

Parties:

Mr George Kwek, Heatherbank, Auchmuirbridge, Leslie, Glenrothes, KY6 3JD ("the Applicant")

Mr Shaun Derek Robert Clark, 1/L 24 Park Avenue, Stobswell, Dundee, DD4 6LU ("the Respondent")

Tribunal Members: John McHugh (Legal Member) and Elizabeth Williams (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that an order for payment of the sum of £1270 by the Respondent to the Applicant should be made.

Background

The Applicant is the Landlord and the Respondent is the Tenant of the Property under a private residential tenancy agreement dated 14 September 2020. The Applicant has raised an application for payment of overdue rent of £1270.

The Case Management Discussion

A Case Management Discussion ("CMD") took place at George House, Edinburgh on 28 January 2026. The Applicant was represented by his solicitor, Ian Sargison of Thorntons. The Respondent did not attend. The Tribunal was satisfied that notice of the CMD had been given to the Respondent so elected to proceed in his absence. Mr Sargison reported that the Property was a one bed flat which the Respondent

occupied alone. He was believed to have moved out although that was not certain. There had been no contact from the Respondent regarding the current application with either the Applicant or the Tribunal. Rent has not been paid since 2024 and rent arrears now stand at £5506. The Applicant sought to amend the sum claimed upwards to the full amount of the arrears. On the basis that no intimation of the application had been given to the Respondent, that application was refused.

Findings in Fact

1. The Applicant is the Landlord and the Respondent is the Tenant under a private residential tenancy agreement of the Property dated 14 September 2020.
2. Rent was payable by the Respondent to the Applicant at the rate of £330/month.
3. As at 30 November 2024 the rent arrears amounted to £1270 which is the sum claimed.

Reasons for Decision

The Respondent was in three months' consecutive rent arrears by the end of October 2024. The situation has worsened considerably. It seems doubtful that the Respondent remains in occupation. He has taken no part in these proceedings and so the Tribunal has no information regarding any reason for non payment.

Decision

An Order for payment of the sum of £1270 by the Respondent will be made in favour of the Applicant.

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.

John McHugh

Legal Member/Chair

Date: 28 January 2026