



**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/25/2063**

**Re: Property at 1-2, 1 Thistle Street, Kirkintilloch, Glasgow, G66 1NU (“the Property”)**

**Parties:**

**Mr Kevin McKinney, 3 Victoria Road, Stepps, Glasgow, G33 6ET (“the Applicant”)**

**Mr liker Tarim, 1-2, 1 Thistle Street, Kirkintilloch, Glasgow, G66 1NU (“the Respondent”)**

**Tribunal Members:**

**Nicola Irvine (Legal Member) and Ann Moore (Ordinary 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 Respondents in favour of the Applicant in the sum of £695.87.**

**Background**

1. The Applicant submitted an application under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017. The Applicant sought an order for payment against the Respondent in respect of rent 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. Letters were issued on 18 December 2025 informing both parties that a CMD had been assigned for 12 February 2026 at 10am, which was to take place by conference call. In that letter, the parties were also told that they were required to take part in the discussion and were informed that the Tribunal could make a decision today on the application if the Tribunal has sufficient information and

considers the procedure to have been fair. The Respondent was invited to make written representations by 8 January 2026. No representations were received by the Tribunal.

### **The case management discussion – 12 February 2026**

4. The CMD took place by conference call. The Applicant was represented by Ms. Sharon Cooke from Coda Estates Ltd. The Respondent did not join the conference call and the discussion proceeded in his absence. This case called alongside a related case which proceeds under chamber reference FTS/HPC/EV/25/2062. The Tribunal explained the purpose of the CMD.
5. The Applicant's representative explained that rent arrears have increased since the application was made and now amount to £786.63. The contractual monthly rent was £450 but increased to £495 in July 2024. The Applicant's representative has attempted to contact the Respondent by telephone, email and letter to discuss payment of rent arrears, but the Respondent has not responded. Someone living with the Respondent contacted the Applicant's representative to advise that they are unable to pay the rent arrears. There has been no further contact from the Respondent or anyone on his behalf and no payments have been made towards the arrears.
6. The Tribunal adjourned the CMD briefly to allow the members to consider the information provided. When the CMD was reconvened, the Tribunal advised the Applicant's representative that it would need some further information before deciding whether the application could be determined. The Applicant's representative was asked to provide a copy of the updated rent statement, the rent increase notice and evidence of compliance with the pre-action protocol. The Tribunal advised the Applicant's representative that the application states that an order for payment in the sum of £695.87 was sought and this is what the Respondent has notice of. There has been no application to amend the sum sought.
7. On 12 February 2026, the Tribunal received an email from the Applicant's representative attaching an up to date rent statement, rent increase notice and evidence of compliance with the pre-action protocol. The Tribunal resumed consideration of the application and found that the eviction ground is established and that it is reasonable to grant an order for eviction against the Respondent.

### **Findings in Fact**

8. The Applicant is the owner and landlord of the Property at 1-2, 1 Thistle Street, Kirkintilloch, Glasgow, G66 1NU.

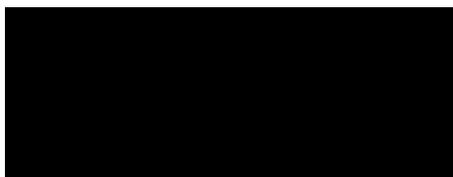
9. The Respondent is the tenant of the Property.
10. The tenancy in question is a private residential tenancy which commenced on 21 August 2019.
11. The contractual monthly rent was £450, payable in advance and increased to £495 on 4 July 2024.
12. The Respondent accrued rent arrears in the sum of £695.87 as at the date of this application and have increased since then.

### **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 was 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 £450 per month which increased to £495 per month. The Respondent had failed to comply with his obligation in this regard, resulting in arrears of £695.87 being due. The Respondent has not sought to dispute this.
14. The Applicant's representative attempted to contact the Respondent to discuss payment of the arrears but the Respondent has not engaged. In the absence of contradictory evidence, the Tribunal was satisfied that the rent statement is accurate and that the sum of £695.87 is due to the Applicant by the Respondent in respect of arrears.

### **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.**



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Legal Member/Chair

\_\_\_\_\_  
12 February 2026

\_\_\_\_\_  
Date