



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014

Chamber Ref: FTS/HPC/CV/25/3084

Re: Property at 288 SANDRAY PARK, GLENROTHES, FIFE, KY7 6RP (“the Property”)

Parties:

Mr Jack McDowell, 10 Toft Hill, Markingh, Fife, KY7 6NE (“the Applicant”)

Aleksandra Jermacenko, 288 Sandray Park, Glenrothes, Fife, KY7 6RP (“the Respondent”)

Tribunal Members:

Ms H Forbes (Legal Member) and Ms A Moore (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 should be granted in favour of the Applicant in the sum of £6829.12.

Background

1. This is a Rule 70 application whereby the Applicant was seeking an order for payment in the sum of £4992.12. The Applicant representative lodged a copy of a short assured tenancy that commenced on 24th April until 23rd October 2009 and monthly thereafter, together with a rent statement and pre-action requirement correspondence.
2. The application and notification of a forthcoming Case Management Discussion was made by Sheriff Officer upon the Respondent on 8th December 2025.
3. By email dated 9th December 2025, the Applicant representative lodged an application to amend the sum sought to £6479.12, with evidence of intimation upon the Respondent.

4. By email dated 24th December 2025, the Applicant representative lodged an application to amend the sum sought to £6829.12, with evidence of intimation upon the Respondent.

The Case Management Discussion

5. A CMD took place by telephone conference on 29th January 2026. Neither party was in attendance. The Applicant was represented by Ms Helen Couser, Fife Letting Services.
6. The Tribunal considered the terms of Rule 29. The Tribunal determined that the requirements of Rule 17(2) had been satisfied in respect of the Respondent. The Tribunal considered it was appropriate to proceed with the application in the absence of the Respondent.
7. Ms Couser said the rent arrears are now £7179.12. No rent has been paid by the Respondent since July 2025, when £200 was paid. The monthly rent is £350. The Respondent has failed to engage and does not respond to correspondence.

Findings in Fact and Law

8.
 - (i) Parties entered into a short assured tenancy commencing on 24th April 2009 until 23rd October 2009 and continuing monthly thereafter, at a monthly rent of £350.
 - (ii) Rent lawfully due has not been paid by the Respondent to the Applicant.
 - (iii) The Applicant is entitled to recover rent lawfully due.

Reasons for Decision

9. Rent lawfully due is outstanding. The Applicant is entitled to recover rent lawfully due. It is appropriate to allow the applications to increase the sum sought.

Decision

An order for payment is granted in favour of the Applicant in the amended sum of £6829.12.

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.

Helen Forbes

Legal Member/Chair

Date: 29th January 2026