



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/25/3367

Re: Property at 14 PORTSOY, ERSKINE, PA8 6EJ (“the Property”)

Parties:

MR BRIAN CAPLAN, A NEED TO SELL, OFFICE 2 ROOM 8, KIRKHILL HOUSE, 81 BROOM ROAD EAST, Glasgow, G77 5LL (“the Applicant”)

Miss Kellie-Anne Sheilds, 3/2,41 Barholm Drive, Erskine, PA8 6FE (“the Respondent”)

Tribunal Members:

Richard Mill (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted an order against the Respondent for payment to the Applicant: the sum of Two Thousand and Ninety Three Pounds and Seventy Four Pence (£2,093.74)

Introduction

This is an application under rule 111 and section 71 of the Private Housing (Tenancies) (Scotland) Act 2016. The application and intimation of the Case Management Discussion (‘CMD’) was served upon the respondent by Sheriff Officers on 7 January 2026.

The CMD took place by teleconference on 16 February 2026 at 11.30 am. The applicant was represented by Mr James McMillan of Ecosse Estates Ltd. The respondent failed to participate in the hearing.

Findings and Reasons

The property is 14 Portsoy, Erskine PA8 6EJ. The applicant is Mr Brian Caplan, a partner in the business A Need to Sell, who is the registered landlord. The respondent is Miss Kellie-Anne Shields who is the former tenant. The parties entered into a private residential tenancy which commenced on 20 July 2018. The rent was £695 per month.

Throughout the duration of the tenancy the respondent has fell into arrears of the contractual rental payments. The tenant vacated the let property on 16 January 2025.

The application is supported by a detailed account statement disclosing the sums of rent which fell due and the monies received. The tribunal found this unchallenged documentary evidence credible and reliable and attached weight to it.

The amount of rent arrears were reduced due to recovery of the deposit as part payment of the outstanding amount. £2,093.74 remains outstanding.

The applicant is entitled to recover arrears of rent under and in terms of the lease. The respondent has made no offer to pay and an order is necessary. The respondent has not opposed the application and has made no time to pay application.

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.

Richard Mill

Legal Member/Chair

16 February 2026

Date