



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017

Chamber Ref: FTS/HPC/CV/25/4744

Re: Property at 13 St. Edmund Terrace, Dundee, DD3 9NQ (“the Property”)

Parties:

Ms Heather Langlands, Mr Michael Martin Fouracre, 52 Sidlaw Gardens, Dundee, Angus, DD2 5RG; 52 Sidlaw Gardens, Dundee, DD2 5RG (“the Applicants”)

Mr Kenneth Vanderdeyl, 13 St. Edmund Terrace, Dundee, DD3 9NQ (“the Respondent”)

Tribunal Members:

Fiona Watson (Legal Member) and Mary Lyden (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order is granted against the Respondent for payment of the undernoted sum to the Applicants:

Sum of ONE THOUSAND SIX HUNDRED AND SEVENTY-FIVE POUNDS (£1,675) STERLING

- Background
- 1. An application was submitted to the Tribunal under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”), seeking a payment order against the Respondent in relation to rent arrears accrued under a private residential tenancy agreement.
- The Case Management Discussion

2. A Case Management Discussion took place on 6 February 2026 by telephone call. The Applicant was represented by their letting agent, Ms Laura Wheelan of Rent Locally. There was no appearance by or on behalf of the Respondent. The application had been intimated on the Respondent by Sheriff Officer on 19 December 2025. The Tribunal was accordingly satisfied that the Respondent had been duly notified of the date and time of the CMD and that the CMD could proceed in the Respondent's absence.

3. A separate application by the Applicants seeking a repossession order against the Respondent under Rule 109 of the Rules and under case reference FTS/HPC/EV/25/2920 was heard at the same time.

4. The Applicants' representative moved for the order for payment to be granted. The arrears of rent stood at £2,425 at the time of submitting the application. The arrears had increased and now stood at £4,375. The parties had entered into a Private Residential Tenancy Agreement. Nothing had been paid at all since June 2025. A deposit of £750 would be reclaimed to offset the arrears.

- Findings in Fact

5. The Tribunal made the following findings in fact:

- (i) The parties entered into a Private Residential Tenancy Agreement ("the Agreement") which commenced 16 December 2019;
- (ii) In terms of Clause 8 of the Agreement, the Respondent was obliged to pay a monthly rent of £650 to the Applicant;
- (iii) The Respondent had failed to make payment of rent as fell lawfully due, and had accrued arrears amounting to £4,375 at the date of the CMD.

- Reasons for Decision

6. The Tribunal was satisfied that the Applicant was entitled to the sum as sought in the application, being £1,675 (the arrears of £2425 less the deposit of £750). The Respondent was obliged to make payment of rent in the sum of £650 per month under Clause 8 of the Agreement and had failed to do so. The Tribunal explained to the Applicants' Representative that whilst the arrears had increased since the application was raised and an updated rent statement had been lodged to show this on 28 January 2026, Rule 14A requires any application to increase the sum sued for be lodged at least 14 days prior to the CMD and to be intimated on the tenant. As this had not happened, and the Respondent was not present to agree the figure being sought, the Tribunal could only grant the sum as sought in the application.

- Decision

7. The First-tier Tribunal for Scotland (Housing and Property Chamber) granted an order against the Respondent for payment of the undernoted sum to the Applicants:

Sum of ONE THOUSAND SIX HUNDRED AND SEVENTY-FIVE POUNDS
(£1,675) STERLING

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.

Fiona Watson

Legal Member/Chair:

Date: 6 February 2026