



**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 (“the Act”) Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)**

**Chamber Ref: FTS/HPC/CV/25/3068**

**Re: Property at 42 Keith Place, The Maltings, Inverkeithing, KY11 1NE (“the Property”)**

**Parties:**

**Mr Neal Timmons, 32 Teal Place, Dunfermline, Fife, KY11 8GB (“the Applicant”) per his agents, Innes Johnston LLP, 14 North Street, Glenrothes, Fife, KY7 5NA (“the Applicant’s Agents”)**

**Mr Kevin Dickson, 42 Keith Place, The Maltings, Inverkeithing, KY11 1NE (“the Respondent”)**

**Tribunal Members:**

**Karen Moore (Legal Member) and Gerard Darroch (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Order in the sum of FOUR THOUSAND NINE HUNDRED AND FIFTY POUNDS (£4,950.00) Sterling as sought.**

**Background**

1. By application dated 10 July 2025 (“the Application”), the Applicant’s Agents applied to the Tribunal for an Order for payment of rent due and owing by the Respondent to the Applicant in respect of a tenancy of the Property.
2. The Application comprised the following:
  - i) copy private residential tenancy agreement between the Parties with an entry date of 21 February 2020;
  - ii) copy statement of rent due and owing amounting to £2,250.00 as at June 2025 and showing no rent payments since January 2025
  - iii) copy pre-action requirement letters sent to the Respondent.
3. The Application was accepted by the Tribunal Chamber and a Case Management Discussion (the “CMD”) was fixed for 16 January 2026 at 10.00 by telephone conference and intimated to the Parties, and in particular, on the Respondents by Sheriff Officer on 12 November 2025.
4. Prior to the CMD, the Applicant’s Agents lodged an updated rent statement showing that the rent due and owing had increased to £4,950.00 to December 2025.

## **CMD**

5. The CMD took place on 16 January 2026 at 10.00 by telephone. The Applicant, Mr. Timmins, was present and was represented by Ms. Forbes of the Applicant’s Agents. The Respondent was not present and was not represented. He did not submit written representations. The Tribunal was satisfied that the Respondent had been made aware of the CMD and that he ought to attend and so proceeded in their absence.
6. The Application was heard alongside application FTS/HPC/EV/25/3067 between the same Parties seeking an Order for eviction.
7. Ms. Forbes confirmed that an Order for £4,950.00 is sought and confirmed that no rent has been paid since January 2025.

### **Findings in Fact**

8. From the Application and the CMD, the Tribunal made the following findings in fact: -

- i) There is a private residential tenancy of the Property between the Parties at a current monthly rent of £450.00;
- ii) The Respondent has not paid rent since January 2025;
- iii) Rent amounting to £4,950.00 is due and owing by the Respondent to the Applicant.

### **Rule 17 (4) of the Rules**

9. The Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal *“may do anything at a case management discussion .....including making a decision”* . The Tribunal took the view that it had sufficient information to make a decision and so proceeded to determine the Application.

### **Decision and Reasons for Decision**

10. The Tribunal had regard to all the information before it and to its Findings in Fact.

11. The Tribunal had regard to the facts that the Respondent owes the sum of £4,950.00 and that the Application is not opposed. Accordingly, the Tribunal granted the Order as sought.

12. This decision is unanimous.

### **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.

Karen Moore

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Legal Member/Chair

16 January 2026  
Date