



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/25/0339

Re: Property at Central House 1-10, 50-58 Jamaica Street, Glasgow, G1 4QG (“the Property”)

Parties:

Ms Joan Powell, 15 Almond Court, Liverpool, L19 2QZ (“the Applicant”)

**Mr Rory Walker, care of Duisdale House Hotel, Aird of Sleat, Isle of Skye, IV43 8QW
Elaine Bracher or Clayson, 35 King Street, Newmins, KA16 9OW (“the Respondent(s)”)**

Tribunal Members:

Andrew McLaughlin (Legal Member)

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against Rory Walker and Elaine Bracher or Clayson in the sum of £4,166.00.

Background

[2] The Applicant seeks a Payment Order in respect of rent arrears, administration charges and interest accrued by the Respondent under a tenancy between the parties.

[3] The Application is accompanied by a copy of the relevant tenancy agreement and rent statements.

Case Management Discussion

[4] The Application called for a Case Management Discussion (CMD) by conference call at 2pm on 10 February 2026. The Applicant was represented by Mr Arkless of Xenia Lettings. Elaine Bracher or Clayson was convened as a Guarantor of the tenants' obligations under a tenancy between the parties. Ms Clayson had emailed the Tribunal to explain that she is now known as Ms Clayson and that she did not intend to appear at the CMD. Ms Lang-Stephens was present as was Mr Rory Walker. Mr Arkless began by explaining that the case against Ms Lang-Stephens was to be withdrawn leaving Mr Walker and Ms Bracher or Clayson as the remaining Respondents.

[5] There was some discussion about the sum sued for. Mr Arkless moved for a Payment Order for the amended sum of £4,166.00 which comprised rent arrears of £3,666.00 plus a contractual administration fee of £500.00 which was due under the terms of the tenancy. Mr Arkless no longer insisted on any interest on the sum claimed.

[6] Mr Walker explained that he had no defence to the Application and pointed out that he had no money. The Tribunal explained that if the Respondent was serious about trying to enter into a repayment arrangement, he should consider taking advice and then apply for a Time to Pay Order. It was explained that he would need to look on the Tribunal website and educate himself about the process for applying for such an order and what he would have to produce in support of it.

[7] Having heard from parties, the Tribunal made the following findings in fact.

Findings in fact

- 1. The Parties entered into a tenancy agreement in terms of which the Applicant let the Property to Mr Rory Walker. Ms Bracher or Clayson guaranteed the performance of the tenant's obligations under the tenancy.*
- 2. Mr Walker vacated the Property with rent arrears in the sum of £3,666.00.*
- 3. The Tenancy provided that in the event of these proceedings being necessary that a £500.00 administration charge will be due for payment by the tenants.*
- 4. The sum of £4,166.00 is resting owed by Rory Walker and Elaine Bracher or Clayson as guarantor to the Applicant.*

Decision

[8] Having made the above findings in fact and having considered the circumstances of the case, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £4,166.00. No award of interest was sought by the Applicant.

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.

Andrew McLaughlin

Legal Member/Chair

10 February 2026
Date