



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/25/3527**

**Re: Property at 30 Corserine Bank, Irvine, KA11 1LH (“the Property”)**

**Parties:**

**RJSD Property Ltd, The Gables, 2 Corsehill Road, Ayr, KA7 2ST (“the Applicant”)**

**Miss Natalie Murphy, 30 Corserine Bank, Irvine, KA11 1LH (“the Respondent”)**

**Tribunal Members:**

**Shirley Evans (Legal Member) and Mary Lyden (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to make an order for payment against the Respondent in favour of the Applicants in the sum of ONE THOUSAND SEVEN HUNDRED AND FIFTY FIVE POUNDS AND SEVENTY SIX PENCE (£1755.76) STERLING. The order for payment will be issued to the Applicant after the expiry of 30 days mentioned below in the right of appeal section unless an application for recall, review or permission to appeal is lodged with the Tribunal by the Respondent.**

**Background**

1. This is an action for recovery of rent arrears raised in terms of Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Regulations”).
2. The application was accompanied by a copy of a short assured tenancy agreement dated 29 June 2017 and commencing 29 June 2017 between the Applicant and the Respondent and a rent statement showing arrears of £1775.09

3. On 29 August 2025, the Tribunal accepted the application under Rule 9 of the Regulations.
4. On 16 December 2025, the Tribunal enclosed a copy of the application and advised parties that a Case Management Discussion (“CMD”) under Rule 17 of the Regulations would proceed on 9 February 2026. The Respondent required to lodge written submissions by 6 January 2026. This paperwork was served on the Respondent by Andrew Richardson, Sheriff Officer, Glasgow on 18 December 2025 and the Execution of Service was received by the Tribunal administration.
5. On 15 January 2026 the Applicant’s solicitor enclosed a rent statement showing arrears of £1725.64. On 29 January 2026 the Applicant’s solicitor sent a further rent statement showing arrears of £1755.76.
6. On 30 January 2026 the Respondent’s representative Mr Meek from CHAP (Confidential Helpful Advice Provider) emailed the Tribunal to advise he had discussed the matter with the Respondent who did not oppose the application. He went onto explain the Respondent accepted the arrears balance and understood the consequences of a payment order being granted.

### **Case Management Discussion**

7. The Tribunal proceeded with the CMD on 9 February 2026 by way of teleconference. The Applicant was represented by Miss Archibald from Wallace Hodge, Solicitors. The Respondent was represented by Ms Gibson from CHAP. The case was heard with an application for recovery of rent arrears under reference FTS/HPC/EV/25/3526.
8. The Tribunal had before it the short assured tenancy agreement between the Applicant and the Respondent, the AT5 dated 19 June 2017 and the rent statements. The Tribunal considered the terms of these documents.
9. The Tribunal explained it had had an opportunity of considering the Application and the submissions made on behalf of the Respondent. The Tribunal asked Ms Gibson to confirm whether it was still the Respondent’s position that she did not oppose the application. Ms Gibson confirmed there was no opposition to the application.

10. Ms Archibald submitted that from the start of the tenancy with the Respondent payments had been sporadic. The rent had increased since 2017. Current arrears were £1755.76. There was no hostility with the Respondent, but the Applicant was not aware as to why rent had not been paid.

11. Ms Gibson confirmed the arrears of £1755.76 were accepted.

### **Reasons for Decision**

12. The Tribunal considered the issues set out in the application together with the documents lodged in support. Further the Tribunal considered the submissions made by Ms Archibald and by Ms Gibson.

13. The Tribunal noted the terms of the tenancy agreement and the rent statements lodged which set out how the arrears had arisen, the latest of which showed the total arrears of £1755.76. The Applicant produced evidence of persistent non-payment of rent. The Respondent accepted she was in rent arrears. The Tribunal was satisfied on the basis of the documents lodged, together with parties' submissions that an order for payment in favour of the Applicant be granted for the sum of £1755.76.

### **Decision**

14. The Tribunal granted an order for payment of £1755.76. The decision of the Tribunal was 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.**

Shirley Evans

9 February 2026

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Legal Member

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Date