



**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/25/1366

Re: Property at (3/2) 2 Byres Road, Glasgow, G11 5JY ("the Property")

Parties:

**Mr Oliver Roberts, 181 Major Hornbrook Road, Mt Pleasant, New Zealand, 8081
("the Applicant")**

**Ms Virginia Murray, whose present whereabouts are to the Applicant unknown
("the Respondent")**

Tribunal Members:

Gillian Buchanan (Legal Member)

Decision (in absence of the Respondent)

At the Case Management Discussion ("CMD"), which took place by telephone conference on 22 January 2026, the Applicant was not present but was represented by Mr James Sloan of DJ Alexander. The Respondent was neither present nor represented.

The tribunal was satisfied that the requirements of Rule 24(1) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ("the Rules") had been satisfied relative to the Respondent having received notice of the CMD and determined to proceed in the absence of the Respondent in terms of Rule 29.

At the outset of the CMD, neither party was present or represented. The Tribunal Clerk telephoned the Applicant's representative on two occasions but was unable to speak with him. Mr Sloan dialled into the CMD at around 11.30am, some 30 minutes late. By that time the Respondent had still not joined the call.

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that:-

Background

A CMD had previously taken place on 25 September 2025. The Notes of that CMD are referred to. That CMD was adjourned for the Respondent to be traced and the application served on

the Respondent. In the absence of an address for the Respondent, intimation took place by advertisement on the Tribunal website.

The Tribunal noted the following background:-

- i. The Applicant leased the Property to the Respondent in terms of a Private Residential Tenancy Agreement ("the PRT") that commenced on 6 June 2018.
- ii. The rent payable in terms of the PRT was initially £795 per calendar month.
- iii. The deposit paid in terms of the PRT was £895.
- iv. The rent arrears due as at the date of the application were £9,198.20.
- v. The PRT ended on 31 May 2025 following the grant of an eviction order by the Tribunal in related proceedings.
- vi. The Respondent has vacated the Property.

The CMD

At the CMD Mr Sloan for the Applicant made the following representations:-

- i. The rent arrears outstanding, less the deposit of £895 recovered and offset, are £9,122.05. The Applicant seeks a payment order in that amount.
- ii. DJ Alexander did not initially deal with the PRT. DJ Alexander acquired the agency contract for the Property in May 2024. By then the rent had already been increased to £818.85. DJ Alexander does not hold any paperwork relative to the rent increase.

Findings in Fact

- i. The Applicant leased the Property to the Respondent in terms of the PRT that commenced on 6 June 2018.
- ii. The rent payable in terms of the PRT was initially £795 per calendar month.
- iii. The rent was subsequently increased to £818.85 per month.
- iv. The deposit paid in terms of the PRT was £895.
- v. The rent arrears due as at the date of the application were £9,198.20.
- vi. The PRT ended on 31 May 2025 following the grant of an eviction order by the Tribunal in related proceedings.
- vii. The Respondent has vacated the Property.
- viii. The rent arrears outstanding, less the deposit of £895 recovered and offset, are £9,122.05

Reasons for Decision

The Respondent did not submit any representations to the Tribunal and did not attend the CMD. The factual background narrated by the Applicant within the application papers and orally by Mr Sloan at the CMD was not challenged and was accepted by the Tribunal.

The Tribunal determined that as at the date of termination of the PRT the unpaid rent less the deposit stood at £9,122.05.

Decision

The Tribunal granted a payment order against the Respondent in favour of the Applicant in a sum of £9,122.05.

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.



Legal Member/Chair

22 January 2026
Date