



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/25/3837

Re: Property at Windmill View, Station Road, Oxton, TD2 6PW (“the Property”)

Parties:

Mr Craig Harris, 75 Sauchenbush Road, Kirkaldy, KY2 5RN (“the Applicant”)

Ms Della Murray, Windmill View, Station Road, Oxton, TD2 6PW (“the Respondent”)

Tribunal Members:

Lesley Ward (Legal Member) and Gerard Darroch (Ordinary Member)

Decision

1. The tribunal granted an order for the Respondent to pay to the Applicant the sum of five thousand six hundred pounds (£5600).

Background

2. This was a case management discussion (CMD) in connection with an application to recover rent arrears in terms of Rule 111 of the First-tier Tribunal for Scotland (Procedure) Regulations 2017 (the Rules) and section 71 of the Private Housing (Tenancies)(Scotland) Act 2016 (the Act). There was a second application before the tribunal for eviction in terms of Rule 109. The Applicants were represented by Ms Kathrine Schneider of Lowrie Property Ltd. The Respondent attended.

3. The tribunal had before it the following copy documents:

(1) Private Residential Tenancy Agreement dated 20 September 2024.

- (2) Notice to leave dated 19 March 2025.
- (3) Proof of service of the notice to leave.
- (4) Rent statement
- (5) Evidence in support of the eviction ground.
- (6) Section 11 notice and proof of service.
- (7) Land certificate.
- (8) Evidence of landlord registration.

Case management discussion

4. The Applicant was seeking an order to recover rent arrears. The application before the tribunal was for £5600. The rent arrears have increased to £7700 since the application was made but the Applicant has not applied to increase the sum sought. The Respondent did not dispute the rent arrears.

5. Findings in fact

- The Applicant is the husband of the owner of the property, Kerri Helen Harris.
- The Applicant is the registered landlord of the property.
- Acting under his wife's authority the Applicant entered into a private residential tenancy agreement with the Respondent for let of the property on 20 September 2019.
- The agreed rent was £700.
- Rent arrears began to accrue in May 2025.
- On 11 November 2025 the accrued rent arrears were £5600.
- The sum of £5600 remains due.

Reasons

6. The Respondent is not opposed to the rent arrears application. The Respondent does not dispute the rent arrears. The Tribunal was satisfied that it had sufficient information before it to make a decision and the procedure had been fair. The tribunal was satisfied that it was reasonable in all of the circumstances that the order be granted.

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.

L Ward

11 February 2026

Legal Member/Chair

Date