

Housing and Property Chamber
First-tier Tribunal for Scotland



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/25/3443

Re: Property at 1 Motherwell Street, Airdrie, ML6 7EJ (“the Property”)

Parties:

Ms Lesley Miller, Milton House, Milton Lockhart Estate, Lanark Road, Rosebank, Carluke, ML8 5QA (“the Applicant”)

Ms Angela Bryce, 1 Motherwell Street, Airdrie, ML6 7EJ (“the Respondent”)

Tribunal Members:

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

Decision (in absence of the Respondent)

1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the respondent shall make payment to the applicant the sum of eight thousand and ninety two pounds (£8092) with interest at 8 percent per annum from 11 February 2026 until payment.

Background

2. This was a case management discussion (CMD) in connection with an application 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) to recover rent arrears. There was a second application before the tribunal for eviction in terms of rule 109. The Applicants were represented by Ms Adriana Capaldi trainee solicitor of Bannatyne Kirkwood and France Solicitors. The Respondent did not attend and was not represented. The tribunal had sight of the execution of service of the applications on the applicant on 18 December 2025. The tribunal was satisfied that the applicant had received notice in terms of rule 24 and proceeded with the CMD in her absence in terms of rule 29.

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

- (1) Private Residential Tenancy Agreement dated 4 November 2019
- (2) Notice to leave dated 7 February 2025.
- (3) Proof of service of the notice to leave.
- (4) Rent statement.
- (5) Pre-action requirements letters.
- (6) Section 11 notice and proof of service.
- (7) Land certificate.
- (8) Evidence of landlord registration.

Preliminary matters

4. Ms Capaldi advised that the rent arrears had increased to £8092 in January 2026 and an application to increase the sum sought was sent to the tribunal on 21 January 2026. The tribunal had not had sight of the increase application. The tribunal adjourned for a short time to enable Ms Capaldi to ascertain if the application to increase the sum sought was served on the respondent.

Case management discussion

5. Ms Capaldi was seeking an order for £8092 in respect of rent arrears accrued from November 2024 until January 2026. The application to increase the sum sought in the arrears case was sent to the tribunal on 21 January 2026 and served on the respondent by email at the same time. For some unknown reason the tribunal administration did not send the application to the respondent or the tribunal members

6. Findings in fact

- The Applicant is the owner and registered landlord of the property.
- Acting under the Applicant's authority as an undisclosed principal, The Applicant's husband Mr Manvir Singh entered into a private residential tenancy agreement with the Respondent for let of the property on 4 November 2019.
- The agreed rent was £750.
- The agreed interest on unpaid rent was 8 percent per annum.
- Rent arrears began to accrue in 4 November 2024.
- No payments of rent have been made since April 2025.

- On 4 January 2026 the accrued rent was £8092.
- The sum of £8092 remains outstanding.

Reasons

7. This was an undefended application to recover rent arrears. The Tribunal was satisfied that it had sufficient information before it to make a decision and the procedure had been fair.

8. The tribunal was satisfied on the balance of probability that there are rent arrears of £8092 outstanding. The application to increase the sum sought from £4342 to £8092 was sent to the respondent by the applicant's solicitors on 21 January 2026. The respondent has therefore been given notice of the increase sum sought. The tribunal accordingly granted an order for £8092 together with contractual interest of 8 percent.

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