

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) Act 2016

Chamber Ref: FTS/HPC/CV/24/5476

Re: Property at 17 Stanley Street, Hamilton, ML3 9LU (“the Property”)

Parties:

Parrington Property Ltd, 1 Cambuslang Court, Glasgow, G32 8FH (“the Applicant”) and

Rent Locally Ltd, 42-46 Cadzow Street, Hamilton, ML3 6DS (“the Applicant’s Representative”) and

Mr Scott Armstrong, 9 Constable Court, Nethershot Road, Prestonpans, EH32 9AP (“the Respondent”)

Tribunal Member:

G McWilliams- Legal Member

Decision in absence of the Respondent

Background

- 1. The Applicant has applied under Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the 2017 Rules”) (Application for civil proceedings in relation to a private residential tenancy) for an order for payment in respect of rent arrears.**

Case Management Discussion

- 2. A Case Management Discussion (“CMD”) proceeded remotely by telephone conference call at 2.00pm on 29th January 2026. The Applicant’s Representative’s Mr A Stevenson and Ms A Gage attended. The Respondent, Mr Armstrong, did not attend and was not represented.**

3. The Tribunal noted that Sheriff Officers intimated the Application and effected notification of the CMD to Mr Armstrong by depositing the relevant papers through the letterbox of his above address on 12th December 2025.
4. Mr Stevenson asked the Tribunal to grant an order for payment in the sum of £3,225.10. He and Ms Gage stated that they had not received any communications from Mr Armstrong since 12th August 2024 and 15th January 2025 respectively. Ms Gage said that Mr Armstrong last e-mailed her on 15th January 2025 and stated that he was willing to come to an agreement regarding payment of arrears. She said that she did not hear again from him. The Tribunal noted that in Mr Armstrong's e-mail to Ms Gage, dated 15th January 2025, he stated that he was applying to be made bankrupt.

Statement of Reasons for Decision

5. In reaching their decision the Tribunal had regard to the terms of Section 71 of The Private Housing (Tenancies) Act 2016 provides as follows:

(1) In relation to civil proceedings arising from a private residential tenancy-

- (a) the First-tier Tribunal has whatever competence and jurisdiction a sheriff would have but for paragraph (b),
- (b) a sheriff does not have competence or jurisdiction.

(2) For the purposes of subsection (1), civil proceedings are any proceedings other than-

- (a) the prosecution of a criminal offence,
- (b) any proceedings related to such a prosecution.

6. Accordingly, the Tribunal has jurisdiction in relation to claims by landlords (such as the Applicant) for payment of unpaid rent against a tenant (such as the Respondent) in respect of a Private Residential Tenancy ("PRT").

7. The Tribunal considered all of the Application papers, and the submissions of Mr Stevenson and Ms Gage. Having done so, the Tribunal finds in fact, on a balance of probabilities, and in law that the Respondent, Mr Armstrong, owes rent arrears, arising from the parties' PRT, in the sum of £3,225.10 and that the Applicant, Parrington Property Ltd, is entitled to an order for payment to them by Mr Armstrong of that amount. Mr Armstrong has not lodged representations with the Tribunal or attended the CMD to provide any evidence, and/or make any submission, to oppose and contradict the basis for the order sought by Parrington Property Ltd. Accordingly, the Tribunal is satisfied that it is reasonable to grant an order for payment by the Respondent, Mr Scott Armstrong, to the Applicant, Parrington Property Ltd, in the sum of £3,225.10.

Decision

- 8. Therefore, the Tribunal makes an order for payment by the Respondent, Mr Scott Armstrong, to the Applicant, Parrington Property Ltd, of the sum of THREE THOUSAND TWO HUNDRED AND TWENTY FIVE POUNDS AND TEN PENCE (£3,225.10) STERLING.**

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.

G McWilliams

Tribunal Legal Member

29th January 2026

Date