



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 (“the 2016 Act”)

Chamber Ref: FTS/HPC/CV/25/3834

Re: Property at 53 Annbank Street, Larkhall, ML9 1BU (“the Property”)

Parties:

Mr Naeem Nabi, Mrs Riffat Nabi, 27 Burnside Place, Larkhall, ML9 2EQ (“the Applicant”)

Ms Julie Parker McKnight, 9 Machanhill View, Larkhall, ML9 2PL (“the Respondent”)

Tribunal Members:

Ruth O'Hare (Legal Member) and Ahsan Khan (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent is liable to pay the sum of Two thousand seven hundred and sixty two pounds and twenty six pence (£2762.26) Sterling to the Applicant under the terms of the private residential tenancy agreement between the parties.

The Tribunal therefore made an order for payment in the sum of £2762.26 against the Respondent.

Background

- 1 This is an application for a payment order under section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 and Rule 111 of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 (“the Rules”). The Applicant sought to recover rent arrears arising from the private residential tenancy between the parties.
- 2 The application was accepted and referred to a case management discussion (“CMD”) to take place by teleconference on 20 February 2026. The Tribunal

gave notice of the CMD to the parties. Said notice, along with a copy of the case papers, was served upon the Respondent by sheriff officers on 8 January 2026 and required the Respondent to submit any written representations to the Tribunal in response to the application no later than 28 January 2026.

3 No written representations were received from the Respondent.

The CMD

4 The CMD took place on 20 February 2026 at 10am by teleconference. Mr Barry Munro of GBS Lets Ltd represented the Applicants. The Respondent did not join the call. The Tribunal noted that she had been given notice of the CMD in terms of Rule 17(2) of the Rules and had provided no explanation for her failure to attend. The Tribunal therefore delayed the start time of the CMD for a short period before determining to proceed in her absence.

5 The Tribunal had the following documents before it:-

- (i) Form F application;
- (ii) Title sheet confirming the Applicants' ownership of the property and proof of the Applicants' landlord registration from the online landlord register;
- (iii) Rent statement;
- (iv) Written mandate from the Applicants authorising GBS Lets Ltd to act as their representative; and
- (v) Email from GBS Lets Ltd dated 22 December 2025 with updated rent statement.

6 The Tribunal heard submissions from Mr Munro on the Applicants' behalf. The following is a summary of the key elements of the submissions.

7 Mr Munro explained that the Respondent accrued significant rent arrears during her tenancy with the Applicants. She regularly missed rent payments, dating back to July 2024. The Applicants had made efforts to agree payment plans with the Respondent, which did not come to fruition. The Applicants had then given the Respondent a notice to leave based on the rent arrears. The Respondent left the property on her own accord and the tenancy between the parties terminated on 1 December 2025. The Respondent has now offered to pay £100 per month to the arrears and has been making regular payments, but the Applicants wish the protection of a payment order due to the history of the case. Mr Munro confirmed that the sum sought is £2762.26.

Findings in fact

8 The Applicants are the owners and landlords, and the Respondent was the tenant, of the property in terms of a private residential tenancy agreement, which commenced on 9 October 2020.

9 The rent due under the terms of the tenancy agreement was £425 per month. The rent was increased in July 2024 to £475 per month.

- 10 The Respondent failed to pay rent as agreed.
- 11 The tenancy between the parties terminated on 1 October 2025.
- 12 As at the date of termination, the Respondent had accrued rent arrears in the sum of £3487.26.
- 13 The Applicant received the Respondent's tenancy deposit which reduced the arrears balance to £3162.26.
- 14 The Respondent has since made payments towards the arrears totalling £400.
- 15 The Respondent is liable to pay the sum of £2762.86 to the Applicants.

Reasons for decision

- 16 The Tribunal was satisfied it could make relevant findings in fact to reach a decision on the application at the CMD based on the documentary evidence and submissions on behalf of the Applicants. The Tribunal determined that to do so would not be contrary to the interests of the parties as the Respondent had not sought to oppose the application and there was no contradictory evidence before the Tribunal.
- 17 The Tribunal accepted based on the documents before it that the Respondent had an obligation to pay rent of £475 per month and had failed to do so, resulting in rent arrears accruing in the sum of £2762.86. The Respondent was therefore liable to pay the Applicant the sum of £2762.86, and the Tribunal determined to make a payment order in those terms.
- 18 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.

Ruth O'Hare

Ruth O'Hare

20 February 2026

Legal Member/Chair

Date