



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/25/0896

Re: Property at 126 Mushet Road, Livingston, EH54 7GE (“the Property”)

Parties:

Castle Rock Edinvar Housing Association Ltd in association with Places for People Scotland, 1 Hay Avenue, Edinburgh, EH16 4RW (“the Applicant”)

Miss Chanel Lawrie, 126 Mushet Road, Livingston, EH54 7GE (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made a Payment Order in the sum of £8,815.65 in favour of the Applicant against the Respondent with interest running on that sum at the rate of 4 per cent per year from today’s date until payment.

Background

[2] The Applicant seeks a payment order for rent arrears said to have been accrued by the Respondent under a tenancy agreement between the parties. The Application is accompanied by a copy of the tenancy agreement and rent statements. The Application was conjoined with an Application for an Eviction Order with reference FTS/HPC/EV/25/0895.

[3] There had been a previous Case Management Discussion on 28 August 2025. The Respondent had been present and explained that she intended to pay the monthly rent and make an additional payment of £100.00 towards the rent arrears. The rent arrears at that time were £5,525.28. In the run up to the adjourned Case Management Discussion, the Applicant submitted representations which confirmed that the arrears had in fact increased to the sum of £8,815.65.

The Case Management Discussion

[4] The Application called again for a Case Management Discussion (“CMD”), by conference call at 10 am on 24 February 2026. The Applicant was represented by Mr Caldwell, solicitor. The Respondent was again personally present. The Respondent accepted that the amended sum now claimed as rent arrears was indeed a true calculation of the sums owed.

[5] Having heard from parties, the Tribunal made the following findings in fact.

Findings in Fact

1. *The parties entered into a tenancy agreement whereby the Applicant let the Property to the Respondent on a Private Tenancy Agreement within the meaning of the Act;*
2. *The Respondent fell into rent arrears;*
3. *The sum of £8,815.65 is resting owed as rent arrears by the Respondent to the Applicant.*

Reasons for Decision

[6] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in the sum of £8,815.65 in favour of the Applicant against the Respondent. The Tribunal ordered that interest should run on that sum at the rate of 4 per cent per year from today’s date until payment.

[7] The Legal Member’s view was that not making any award of interest would disincentivise prompt payment, incentivise late payment and lead to the prospect of erosion of capital value due to inflationary pressures. The Legal Member took the view

that there was no good reason to decline the Applicant's request for interest to run on the sum due.

[8] The Ordinary Member of the Tribunal took a different view and would have declined to make any award of interest on the basis that it would be inequitable and unjust in the circumstances taking into account the status of the respective parties.

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.

Andrew McLaughlin

Legal Member/Chair

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24 February 2026

Date