



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/25/1957

Re: Property at Saint Andrews Court G-16, 21 St Andrews Street, Glasgow, G1 5PA (“the Property”)

Parties:

Mrs Bindi Shah, 53 Ridge Lane, Watford, WD17 4SX (“the Applicant”)

Ms Emily Lucas SBA, Martin Robert Stewart Mccoustra, UNKNOWN, UNKNOWN; 15 Lavery Avenue, Larbert, Stirlingshire, FK5 4GF (“the Respondent”)

Tribunal Members:

Alastair Houston (Legal Member)

Decision (in absence of the Applicant and First Named Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application be refused.

1. Background

- 1.1 This is an application under rule 111 of the Chamber Rules whereby the Applicant sought payment of rent said to have gone unpaid during a private residential tenancy agreement between the parties. The application was accompanied by a copy of the tenancy agreement and a rent statement.
- 1.2 A previous Case Management Discussion had taken place on 26 November 2025. As per the Case Management Discussion note from that date, the Second Named Respondent had accepted responsibility for the sum sought as guarantor in respect of the First Named Respondent’s obligations under the tenancy agreement. An offer of repayment had been made and the parties had been in agreement that, given the offer was acceptable, no order ought to be made.

2. The Case Management Discussion

- 2.1 The Case Management Discussion took place on 2 March 2026 by teleconference. The Applicant and First Named Respondent did not attend and were not represented. The Second Named Respondent attended personally.
- 2.2 The Tribunal noted that intimation of the Case Management Discussion had been given to the Applicant. No communication had been received from them explaining their absence. Service by advertisement had been effected on the First Named Respondent.
- 2.3 The Tribunal considered it appropriate to proceed in the parties absence as permitted by the terms of rule 29 of the Chamber Rules. The Second Named Respondent confirmed that he had begun payment as per the offer of £1000.00 per month. Two payments had been made to date. He had not had any communication from the Applicant since making those payments. He intended to continue making payments until the debt was repaid.

3. Reasons For Decision

- 3.1 The Applicant had accepted the offered payments on the last occasion. The parties had been in agreement that no order had been granted. Given that the Second Named Respondent had begun making payments as agreed and, in the absence of any submissions to the contrary, the Tribunal considered it appropriate to refuse the application for want of insistence.

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.

Alastair Houston

Legal Member/Chair

2 March 2026
Date