



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 (1) of the Housing (Scotland) Act 2014 (“The Act”)**

**Chamber Ref: FTS/HPC/CV/25/4017**

**Re: Property at Belivat Cottage, Ardclach, By Nairn, IV12 5JE (“the Property”)**

**Parties:**

**Mr Peter Gibson, 10 Simpson Street, Nairn, IV12 4NT (“the Applicant”)**

**Mr Ian Innes, Mrs Karen Innes, Unknown, Unknown (“the Respondent”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member)**

**Decision (in absence of the Respondent)**

**[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the Respondents in the sum of £36,313.33 with interest at the rate of 8 per cent per year from today’s date until payment.**

**Background**

[2] The Applicant seeks a Payment Order in respect of rent arrears accrued by the Respondents under a tenancy agreement between the parties.

[3] The Application is accompanied by a copy of the tenancy agreement and rent statements.

**Case Management Discussion**

[4] The Application called for a Case Management Discussion (CMD) by conference call at 11:30 am on 26 March 2026. The Applicant was represented by her solicitor, Mr Calvin Gordon. There was no appearance by or on behalf of the Respondents. The Application and details of the conference call had been competently served on the Respondents by advertisement on the Tribunal website as their whereabouts could not reasonably be located. As the Respondents were not present, the Tribunal decided to proceed in the Respondents' absence. Having heard from Mr Gordon, the Tribunal made the following findings in fact.

### **Findings in fact**

- 1. The Parties entered into a tenancy agreement in terms of which the Applicant let the Property to the Respondents.*
- 2. The Respondents vacated the Property with rent arrears in the sum of £36,313.33.*
- 3. The sum of £36,313.33 is resting owed by the Respondents to the Applicant.*

### **Decision**

[5] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondents in the sum of £36,313.33 with an award of interest at the rate of 8 per cent per year from today's date until payment.

### **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**

**26 March 2026**

**Date**