



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

**Chamber Ref: FTS/HPC/CV/25/3869**

**Property at 84 Ann Street, Hamilton, ML3 0NE (“the Property”)**

**Parties:**

**Mr Ian Lockwood, Mrs Mary Lockwood, Old River House, Lullingstone Lane, Eynsford, Dartford, DA4 0HY (“the Applicants”)**

**Mr Graeme Raymond Hugh Welsh, 84 Ann Street, Hamilton, ML3 0NE (“the Respondent”)**

**Tribunal Members:**

**Josephine Bonnar (Legal Member) and Janine Green (Ordinary Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment of the sum of £15,421 should be granted against the Respondent in favour of the Applicants.**

**Background**

1. The Applicant seeks an payment order in relaiton to unpaid rent. A tenancy agreement and rent statement were lodged with the application.
2. A copy of the application was served on the Respondent by Sheriff Officer. The parties were notified that a case management discussion (“CMD”) would take place by telephone conference call on 9 March 2026 at 2pm and they were required to participate.
3. The CMD took place on 9 March 2026. Mr Lockwood participated and was represented by Ms Salem. The Respondent did not participate. A related application for an eviction order under reference EV/25/3872 was also discussed.

## **Summary of Discussion at CMD**

4. Mr Lockwood told the Tribunal that the Respondent is still living at the property, as far as he is aware, although there has been no contact for some time. After a short adjournment to allow him to make a telephone call to the letting agent for the property, he told the Tribunal that the arrears are now £17,591 and confirmed that the letting agent has also had no recent contact. The last contact was some time ago when the Respondent allowed access for a leak to be repaired. The Legal Member noted that the Applicants had not provided an updated rent statement or a request to amend the CV case in advance of the CMD, so the application could not be amended to reflect the increased arrears. Mr Lockwood confirmed that he was only seeking an order in relation to the sum specified in the application.
5. In response to questions from the Tribunal, Mr Lockwood said that he knows very little about the Respondent, except that he is (or was) in employment with a taxi company. He is not aware on any issues with (or entitlement to) benefits. The property is a one bedroom flat so he probably lives there alone. The property is fully managed by the letting agent as the Applicants do not live locally. Mr Lockwood could not provide a proper explanation for the delay in making the applications, as it had been noted by the Tribunal that the arrears started in 2018. He said that he had some issues with his previous solicitor and that they had to go through the legal formalities, which took some time. He confirmed that they have 4 other properties and have a small mortgage over the property which they are having to pay despite the lack of rental income.

## **Findings in Fact**

6. The Applicants are the owners and landlords of the property.
7. The Respondent is the tenant of the property in terms of a private residential tenancy agreement which commenced in December 2017.
8. The Respondent is due to pay rent at the rate of £310 per month.
9. The Respondent has been in arrears of rent since 2018, and no payments have been made by the Respondent since June 2023.
10. The Respondent owes the sum of £15,421 in unpaid rent.

## **Reasons for Decision**

11. Based on the documents lodged with the application, and the information provided at the CMD, the Tribunal is satisfied that the Respondent owes the sum of £15,421 in unpaid rent and that the Applicants are entitled to a payment order for this sum.

## **Decision**

**12.** The Tribunal determines that a payment order should be granted against the Respondent.

## **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.**

**Legal Member :**

Josephine Bonnar

**Date: 9th March 2026**