



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

**Chamber Ref: FTS/HPC/CV/26/0493**

**Re: Property at 5 DOWLAW FARM COTTAGES, COLDINGHAM, EYEMOUTH,  
TD14 5TY (“the Property”)**

**Parties:**

**Ian Russell and Sarah Russell as partners in the firm of Dowlaw Farmers,  
DOWLAW FARM, COLDINGHAM, EYEMOUTH, TD14 5TY (“the Applicant”)**

**MR PETER JACKMAN, 5 DOWLAW FARM COTTAGES, COLDINGHAM,  
EYEMOUTH, TD14 5TY (“the Respondent”)**

**Tribunal Members:**

**James Bauld (Legal Member) and Helen Barclay (Ordinary Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order should be granted for payment in the sum  
of FOUR THOUSAND TWO HUNDRED AND FIFTY POUNDS (£4,250)**

**Background**

1. By application dated 30 January 2026, the applicant sought an order under section 16 of the Housing (Scotland) Act 2014. (“the Act”) and in terms of rule 70 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the procedure rules”).
2. On 2 February 2026 the application was accepted by the tribunal and referred for determination by the tribunal

3. A Case Management Discussion (CMD) was set to take place on 23 March 2026, and appropriate intimation of that hearing was given to both parties.

### **The Case Management Discussion**

4. The Case Management Discussion (CMD) took place on 23 March 2026. The applicant was represented by Mrs Claire Carr from FBR Seed Limited, Land Agents and Chartered Surveyors, Kelso. The respondent was not present
5. The tribunal explained the purpose of the CMD and the powers available to the tribunal to determine matters.
6. The tribunal asked various questions of the applicant's solicitor with regard to the application. She confirmed that rent arrears now stood at £4,250.
7. The total sum being claimed was £4,250.
8. The applicant's representative confirmed that she wished the order for payment to be made.

### **Findings in Fact**

9. The Applicants were the registered owner of the property.
10. The applicant and the respondent are respectively the landlord and the tenant of the property by means of a tenancy agreement originally commencing on 1 August 2013.
11. The tenancy was a short assured tenancy in terms of the Housing (Scotland) Act 1988.
12. The initial agreed monthly rental was £420 and was now £460 per month.
13. The respondent has accrued rent arrears of £4,250 as at 10 March 2026.
14. Appropriate accounting had been provided in respect of the outstanding sums claimed with the application to the tribunal.

## Reasons for Decision

15. The tribunal accepted the unchallenged evidence of the applicant regarding the outstanding sums and granted the order for payment sought.
  
16. The tribunal also exercised the power within rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 and determined that a final order should be made at the CMD.

## Decision

The order for payment of the sum of £4,250 is granted

## 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.**

Jim Bauld

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**Legal Member/Chair**

**23 March 2026**  
**Date**