



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”) and Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)**

**Chamber Ref: FTS/HPC/CV/25/4700**

**Re: Property at Flat 1/1, 38 Airlie Street, Glasgow, G12 9TP (“the Property”)**

**Parties:**

**Arnloss Management Company Limited, Blairnile, Golf Course Road, Balmore, G64 4AW (“the Applicant”)**

**Mr Chris McKenzie, Flat 1/1, 38 Airlie Street, Glasgow, G12 9TP (“the Respondent”)**

**Tribunal Members:**

**Evan Crainie (Legal Member) and Mary Lyden (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment be made against the Respondent in favour of the Applicant for the sum of THREE THOUSAND THREE HUNDRED POUNDS STERLING (£3300) with interest at the rate of 4% per annum from the date of this decision until payment.**

**Background**

1. On 3 November 2025, the Applicant’s agents submitted an application to the First-tier Tribunal for Scotland seeking an order of payment for the sum of £6600 in respect of rent arrears together with interest at the rate of 8% per annum from the date of the Order until payment.
2. On 19 November 2025, the application was accepted for determination by the Tribunal.
3. A case management discussion (“CMD”) was held by audio conference on 08 May 2026.

## **The CMD**

4. The applicant was present and represented by Ms Sophie Newberry of Complete Clarity Solicitors.
5. The Respondent was present.
6. The Legal Member explained the purpose of a CMD. Ms Newberry invited the Tribunal to grant an order for payment.
7. Ms Newberry referred to an updated rent statement which she had submitted on 27 April 2026. She said that she was seeking to amend the application in respect of the sum being sought and said that the Applicant was seeking an order for payment for the sum of £3300 together with interest at the rate of 8% per annum from the date of the Order until payment.
8. The Respondent did not dispute that he had rent arrears and believed that the outstanding amount of £3300 was correct. He confirmed that he was committed to paying the remainder of the arrears and was planning to seek a loan from his family to cover the remainder.
9. The Tribunal noted that there appeared to have been no payments of rent during the period of lockdown resulting from the COVID-19 pandemic. The Tribunal queried whether any agreement had been in place in terms of non-payment of rent during lockdown. The Applicant confirmed that there had been no such agreement and that rent was due to be paid during the period of lockdown.
10. The Tribunal queried why the figure of 8% was sought in respect of interest. The Applicant's representative confirmed that this was sought to encourage prompt repayment and noted that it was the judicial rate of interest. The Applicant's representative invited the Tribunal to use its powers under Rule 41A to include interest when making an order for payment.
11. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a CMD which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it sufficient information and documentation to decide the application without a Hearing.

## **Findings in Fact**

12. The Applicant and the Respondent entered into a private residential tenancy agreement in respect of the Property with a commencement date of 24 February 2018.
13. The monthly rent due under the private residential tenancy is £550.
14. The rent arrears due as at 3 November 2025 were £6600.

15. The rent arrears due as at 8 May 2026 were £3300.

16. There have been rent arrears continuously since January 2019.

### **Reasons for Decision**

17. The Respondent did not dispute that he had rent arrears and believed that the outstanding amount of £3300 was correct.

18. The Tribunal considered that the rate of interest sought (being 8%) was disproportionate in circumstances where around half of the arrears had been paid by the Respondent following the lodging of the Application with the Tribunal. The Tribunal believed an interest rate of 4% to be more proportionate in the circumstances.

### **Decision**

19. The Tribunal determined that the Application be granted and that an order of payment be made for the sum of £3300 against the Respondent with interest at the rate of 4% per annum from the date of this decision until payment.

20. The decision is unanimous.

### **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.**

# Evan Crainie

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Legal Member/Chair

8.5.26  
Date

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