



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

Chamber Ref: FTS/HPC/CV/25/2263

Property : Poundland House, Girvan KA26 ORU (“Property”)

Parties:

Bardrochat Estate, The Estate Office, Ulzieside, Sanquhar DG4 6LA (“Applicant”)

Stanley Wright Ltd, The Estate Office, Ulzieside, Sanquhar DG4 6LA (“Applicant’s Representative”)

John Orr, The Caravan, Carleton Mains Farm, Lendalfoot, Girvan KA26 OJL (“Respondent”)

Tribunal Members:

Joan Devine (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £5,100 should be made.

The Applicant sought an order for payment of £5,100 in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement which commenced on 13 April 2023 and a statement of rent arrears. The Application was served on the Respondent by sheriff officer on 11 March 2026..

Case Management Discussion (“CMD”)

A CMD took place before the Tribunal on 24 April 2026 by teleconference. The Applicant was represented by Caroline McMillan of the Applicant’s Representative. The Respondent was not in attendance. Ms McMillan told the Tribunal that there had been no recent contact from the Respondent. She said that he vacated the Property on 8 July 2025 by which time the arrears were £7,743.67. She said that Safe Deposits Scotland continued to hold the deposit of £2,800. She said that the Respondent ran a waste business from the Property and the outbuildings were full of waste. She said the Applicant had incurred costs in excess of £10,000 to clear the waste. She said the plan was to have the deposit applied to those costs.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent entered into a Tenancy Agreement which commenced on 13 April 2023.
2. In terms of the Tenancy Agreement rent was due at the rate of £1400 per month.
3. The Respondent failed to pay the rent in full for the period 14 January 2025 to 2 May 2025. The unpaid amount was £5,100.

Reasons for the Decision

The Tribunal determined to make an Order for payment. The Respondent failed to pay the rent in full for the period 14 January 2025 to 2 May 2025. The unpaid amount was £5,100.

Decision

The Tribunal grants an order for payment of £5,100.

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.

J Devine

Legal Member

Date : 24 April 2026