



**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/25/4754**

**Re: Property at 25 Kirkside Crescent, Stirling, FK7 7JZ (“the Property”)**

**Parties:**

**North Star Commercial Property Ltd (NSCP), Unit 6, School Brae, Peebles, EH45 8AT (“the Applicant”)**

**Mr David Seggie, 19 Croft Wynd, Kinross, KY13 9GH (“the Respondent”)**

**Tribunal Members:**

**Shirley Evans (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to make an order for payment against the Respondent in favour of the Applicant in the sum of FOURTEEN THOUSAND TWO HUNDRED AND FORTY-THREE POUNDS AND THIRTY-NINE PENCE (£14 243.39) STERLING. The order for payment will be issued to the Applicant after the expiry of 30 days mentioned below in the right of appeal section unless an application for recall, review or permission to appeal is lodged with the Tribunal by the Respondent.**

**Background**

1. This is an action for recovery of former rent arrears charges raised in terms of Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Regulations”).
2. The application was accompanied by a copy of a Private Residential Tenancy Agreement between the former owner of the Property, Robert Jones and the Respondent dated 1 November 2023, a rent statement and various emails between the Applicant, Robert Jones and the Respondent.

3. On 2 February 2026, the Tribunal accepted the application under Rule 9 of the Regulations.
4. On 24 April 2026 the Tribunal enclosed a copy of the application and invited the Respondents to make written representations to the application by 15 May 2026. The Tribunal advised parties that a Case Management Discussion (“CMD”) under Rule 17 of the Regulations would proceed on 27 May 2026. This paperwork was served on the Respondent by William Wywalec, Sheriff Officer, Kirkcaldy on 29 April 2026 and the Certificate of Intimation was received by the Tribunal administration.
5. The Respondent did not lodge written submissions by 15 May 2026.

### **Case Management Discussion**

6. The Tribunal proceeded with a CMD on 27 May 2026 by way of teleconference. Mr McKee and Dr McKelvey, both Directors of the Applicant appeared. There was no appearance by or on behalf of the Respondent despite the CMD starting 5 minutes late to allow him plenty of time to join the call. The Tribunal was satisfied the Respondent had received notice under Rule 24 of the Regulations and accordingly proceeded with the CMD in his absence.
7. The Tribunal had before it the Private Residential Tenancy Agreement the rent statement and emails. The Tribunal considered these documents.
8. Mr McKee advised that they had bought the Property on 18 March 2024 from the previous owner Robert Jones with the Respondent as an existing tenant. The rent was £1415 per month. After the Property was bought the Respondent made one payment of rent. No other payments were made. He remained in the Property. The tenancy terminated on 27 February 2025. The arrears were £14 243.39 by then.
9. The Tribunal enquired whether the sum outstanding took account of the £1415 deposit. Dr McKelvey advised that they had never received a deposit. The sum outstanding accordingly was not under deduction of any deposit.

### **Reasons for Decision**

10. The Tribunal considered the issues set out in the application together with the documents lodged in support, including the tenancy agreement, emails and the rent statement. Further the Tribunal considered the submissions made by the Applicant.

11. The Tribunal noted the terms of the emails leading up to the purchase of the Property and the tenancy agreement showing rent of £1415 per month and the rent statement which set out how the arrears had arisen and had amounted to £14 243.39 by the time the tenancy terminated on 27 February 2025. The Respondent had not disputed the application. The Tribunal was satisfied on the basis of the documents lodged, together with the Applicant's submissions that an order for payment in favour of the Applicant should be made.

### **Decision**

12. The Tribunal granted an order for payment of £14 243.39.

### **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.**

Shirley Evans

27 May 2026

---

Legal Member

---

Date