



**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/24/2960**

**Re: Property at 6/21, 220 Wallace Street, Glasgow, G5 8AL (“the Property”)**

**Parties:**

**DHB (Glasgow) Ltd, 17 Fleurs Avenue, Glasgow, G41 5AR (“the Applicant”)**

**Mr Modupe Komolafe, 6/21 220 Wallace Street, Glasgow, G5 8AL (“the Respondent”)**

**Tribunal Members:**

**Shirley Evans (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to recall the decision of 24 March 2025 to grant a payment Order and thereafter to dismiss the case.**

1. This is an action for rent arrears raised in terms of Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Regulations”).
2. A Case Management Discussion (“CMD”) was held on 24 March 2025. The Applicant was represented by Ms Jenny Rogerson from Jain, Neil & Ruddy solicitors. The Respondent was not present. After hearing submissions on behalf of the Applicant, the Tribunal granted a payment order in favour of the Applicant (“the decision”).
3. On 13 October 2025 the Respondent emailed the Tribunal seeking a recall of the decision in terms of Rule 30 of the Regulations. On 8 January 2026 the Tribunal accepted that it was in the interests of justice to allow a CMD to determine if the recall should be granted in terms of Rule 30(9)(c). Parties were thereafter advised that a CMD would proceed on 20 May 2026.

4. On 22 April 2026, the Applicant's solicitor emailed the Tribunal to advise that the Applicant did not dispute the application for recall in respect of the payment Order, would have no objection to the claim for payment being dismissed and requested that the case be dealt with administratively. On 5 May 2026 the Respondent confirmed he also would have no objection to the case being dealt with administratively.
5. After consideration of the parties' emails, it appeared to the Tribunal that it could proceed to make a decision without proceeding to the CMD in terms of Rule 18 of the Regulations. Both parties confirmed they were content for the Tribunal to determine the matter administratively. The Tribunal accordingly determined to proceed under Rule 18 and issue a decision without proceeding to the CMD.
6. The Tribunal, being satisfied that parties have reached agreement that the recall be granted and that the action be dismissed and that it is not contrary to the interests of justice to determine the case without proceeding to the CMD, determined to discharge the CMD assigned for 20 May 2026 and thereafter to grant the recall in terms of Rule 30 of the Regulations and to dismiss the case.

### **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.**

# S.Evans

**9 May 2026**

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**Legal Member**

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**Date**