



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/25/4597

Re: Property at 69 Rowan Place, East Calder, West Lothian, EH53 0HQ (“the Property”)

Parties:

Mr Mark Darlow, 18 Mardell Avenue, Hobsonville, Auckland, 0616, New Zealand (“the Applicant”)

Ms Temitope Mordi, 69 Rowan Place, East Calder, West Lothian, EH53 0HQ (“the Respondent”)

Tribunal Members:

Robert MacDonald (Legal Member) and Elizabeth Williams (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment by the Respondent to the Applicant should be granted in the sum of Four Thousand Two Hundred and Fifty Pounds (£4250).

Background

1. By application dated 24th October 2025, the Applicant sought an order under Section 71 of the Private Housing (Tenancies)(Scotland) Act 2016 (“2016 Act”) and rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“The Tribunal Rules”)
2. On 15th December 2025 the application was accepted by the Tribunal and referred for determination by the Tribunal.
3. A Case Management Discussion (“CMD”) was assigned to take place on 21st May 2026. Sheriff Officers served the paperwork in connection with the application on the Respondent on 23rd April 2026.
4. The Tribunal invited the Respondent to make submissions to the Tribunal in respect of the application by the 13th of May 2026. No written submission was made to the Tribunal by the Respondent.

5. On 21st April 2026, the Applicant's agents lodged a timeline with the Tribunal being a record of key dates and communications between June 2025 and April 2026.
6. Rent statements were lodged showing that the arrears as at the date of the hearing were £12,050.

Case Management Discussion

7. The CMD took place on 21st May 2026 by teleconference. The Applicant was present and represented by his agent, Ms Linich trainee solicitor, Boyd Jackson Solicitors. There was no attendance at the CMD by or on behalf of the Respondent.
8. The Applicant invited the Tribunal to grant a Payment Order in the sum of £12,050.
9. The Applicant's agent accepted that no application had been made to the Tribunal in terms of Rule 14A to increase the sum claimed. There was no application on or on behalf of the Applicant to increase to amend the sum claimed.

Findings in Fact

10. The Applicant and his wife are the registered owners of the property registered in the Land Register of Scotland under title number MID171781.
11. The Applicant and his spouse and the Respondent entered into a private residential tenancy agreement which commenced on 27th February 2023. The initial agreed rent was £1750 per calendar month. As at the date of the application to the Tribunal, the arrears amounted to £4250. These arrears remained outstanding at the date of the CMD.

Reasons for Decision

12. The Tribunal accepted the unchallenged evidence of the Applicant regarding the level of arrears accumulated by the Respondent. There was no formal application made on or on behalf of the Applicant to increase the sum sought. In terms of Rule 14A any such request the application would have required to be made to the Tribunal at least 14 days before the CMD.
13. The decision of the tribunal was unanimous.

Decision

14. An order for payment in the sum of £4250.

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.

R. MacDonald

21st May 2026

Legal Member/Chair

Date