



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”)

Chamber Ref: FTS/HPC/CV/25/4303

Re: Property at Dunilloie, Tertowie, Kinellar, Aberdeen, AB21 0TQ (“the Property”)

Parties:

Craigmar Properties, Craigmar Properties, Chapel Works, Bucksburn, Aberdeen, AB21 9TL (“the Applicant”)

Miss Jacqueline Cox, Dunilloie, Tertowie, Kinellar, Aberdeen, AB21 0TQ (“the Respondent”)

**Tribunal Members:
Elaine Paton (Legal Member)**

Decision (in absence of the Applicant)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to dismiss the application for want of insistence.

Background

1. An application was received from the Applicant on 06 October 2025 seeking a payment order in terms of rule 111 (Application for civil proceedings in relation to a private residential tenancy) of Schedule 1 to the First Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 (“the 2017 rules”). A tenancy agreement, table purporting to demonstrate unpaid rent, and rent increase notice were lodged with the application.
2. The application was served on the Respondent by Sheriff Officers on 24 April 2026 by letterbox at the Property. Parties were notified that a case management discussion (“CMD”) was arranged to take place by telephone conference call on 26 May 2026 at 11.30am and that they were required to participate.

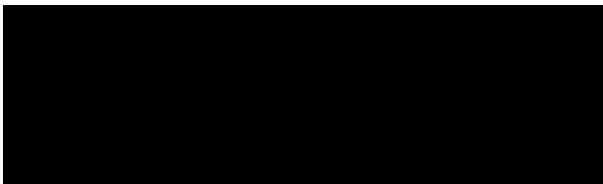
3. The Respondent was invited to make written representations by a specified date and both parties able to lodge documentation at least 7 days in advance of the CMD. No response was submitted by the Respondent.
4. On the morning of 26 May 2026, the tribunal was notified that a request to withdraw the application had been lodged by the Applicant. It was not known whether or not the Applicant had notified the Respondent directly regarding their correspondence. In the circumstances it was necessary for the CMD to proceed as scheduled.

The CMD

5. The Respondent attended the teleconference CMD on 26 May 2026. The Applicant was not present and was not represented.
6. The Tribunal explained to the Respondent that a request for withdrawal of the application had been lodged and that reference had been made to payments having been made towards the arrears sum. The Respondent stated they had not been made aware of this position explaining if anything had been sent by post, then it may arrive in the afternoon. The Respondent stated they had lost their job approximately three and a half months earlier but they were more settled now, able to make payments towards the arrears and in receipt of universal credit; a further payment had been made towards the arrears that, due to the bank holiday, may not have reached their landlord's account yet however the arrears figure had been reduced to £1,800 currently which was a more manageable figure for them now to make regular payments in order to further reduce the arrears. The Respondent was encouraged by the tribunal to correspond with the Applicant's letting agent regarding their payments towards their rent account. In absence of advance notice to the Respondent of the Applicant's correspondence, the Respondent had clarified their position regarding the level of arrears and, in response to the tribunal, stated they were not opposed to the tribunal giving no further consideration to the application.
7. The Tribunal determined that the application should be dismissed for want of insistence.

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.



Elaine Paton, Legal Member

26 May 2026