



**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/25/5102**

**Re: Property at 183 Harris Drive, Tillydrone, Aberdeen, AB24 2AF (“the Property”)**

**Parties:**

**Hillcrest Enterprises, 1 Explorer Road, Dundee, DD2 1EG (“the Applicant”)**

**Mr Colin David Mair, 183 Harris Drive, Tillydrone, Aberdeen, AB24 2AF (“the Respondent”)**

**Tribunal Members:**

**Ms H Forbes (Legal Member) and Mr A Khan (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 should be granted in the sum of £9301.86 with interest thereon at the rate of 3.75% from the date of the decision to the date of payment.**

**Background**

1. This is a Rule 111 application whereby the Applicant was seeking an order for payment in the sum of £5339.76 in respect of rent arrears. The Applicant representative lodged a copy of a private residential tenancy agreement between the parties in respect of the Property, which tenancy commenced on 18<sup>th</sup> March 2022 at a monthly rent of £571.76, rent increase notices, and a rent statement.
2. Service of the application and notification of a Case Management Discussion was made upon the Respondent by Sheriff Officer on 6<sup>th</sup> May 2026.
3. By email dated 12<sup>th</sup> May 2026, which was intimated to the Respondent, the Applicant made an application to amend the sum sought to £9301.86.

## **The Case Management Discussion**

4. A Case Management Discussion (“CMD”) took place by telephone conference on 11<sup>th</sup> June 2026. Ms Callaghan, Paralegal, represented the Applicant. The Respondent was not in attendance. The start of the CMD was delayed to allow the Respondent to attend. The Respondent did not attend.
5. The Tribunal considered the terms of Rule 29. The Tribunal determined that the requirements of Rule 17(2) had been satisfied, and it was appropriate to proceed with the application in the absence of the Respondent.
6. Ms Callaghan provided some background to the application. The Respondent has failed to adhere to payment plans and is not engaging with the Applicant. Attempts have been made to assist the Respondent with no success. The rent is now £660.35 and the arrears are £9962.21.

## **Findings in Fact and Law**

7.
  - (i) Parties entered into a private residential tenancy agreement in respect of the Property which commenced on 18<sup>th</sup> March 2022 at a monthly rent of £571.76.
  - (ii) The rent was increased annually.
  - (iii) Rent lawfully due has not been paid by the Respondent to the Applicant.
  - (iv) The Applicant is entitled to recover rent lawfully due.

## **Reasons for Decision**

8. Rent lawfully due is outstanding. The Applicant is entitled to recover rent lawfully due. The application to amend was competently made and intimated upon the Respondent.

## **Decision**

9. An order for payment is granted in favour of the Applicant in the sum of £9301.86 with interest thereon at the rate of 3.75% from the date of the decision to the date of payment.

## **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.

# H Forbes

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Legal Member/Chair

11<sup>th</sup> June 2026  
Date