



**Decision with reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) in terms of Rule 17 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) in respect of an application under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 and Rule 111 of the Rules**

**Chamber Ref: FTS/HPC/CV/25/3015**

**Re: Property at Flat 0-1, 8 Kerrycroy Street, Glasgow, G42 0AD (“the Property”)**

**Parties:**

**Stuart McMurray as executor on the estate of the late Charles McMurray, Suite 444, 145 -149 Kilmarnock Road, Glasgow, G41 3JA (“the Applicant”) per his representatives, Ritehome, 350 Glasgow Harbour Terraces, Glasgow, G11 6EG (“the Applicant’s Representatives”)**

**Mr Martin Crockwell, Flat 21, 54 Sword Street, Glasgow, G31 1TD (“the Respondent”)**

**Tribunal Member:**

**Karen Moore (Legal Member)**

**Decision**

**The Tribunal determined that an Order for Payment in the sum of SIX THOUSAND and SIX HUNDRED POUNDS (£6,600.00) Sterling be granted.**

**Background**

1. By application received between 14 July 2025 and 25 August 2025, (“the Application”) the Applicant’s Representatives applied on his behalf to the Tribunal for an Order for Payment of rent due and owing by the Respondent in respect of a former tenancy of the Property.

2. The Application comprised the following:

- i) copy tenancy agreement
- ii) Copy documentation evidencing the Applicant's entitlement to make the Application and
- iii) Copy rent statement showing rent of £4,400.00 due at the date of the Application.

3. The Application was accepted by the Tribunal Chamber and a Case Management Discussion ("CMD") was fixed for 9 February 2026 and postponed to 5 June 2026 to allow for service on the Respondent.

4. Prior to the CMD, the Applicant's Representative amended the sum sought to £6,600.00 being rent due of £7,150.00 due to the end of the tenancy on 1 December 2025 less the sum of £550.00 paid by the Respondent as the tenancy deposit.

### **CMD**

5. The CMD took place on 5 June 2026 at 10.00 by telephone. The Applicant was not present and was represented by Mr. Nixon of the Applicant's Representatives. The Respondent, Mr. Crockwell, was not present and was not represented. The Tribunal was satisfied that he had been served with the Application by Sheriff Officer on 21 May 2026 and so was aware both of the proceedings and his obligation to attend. Accordingly, the Tribunal proceeded in his absence.

6. Mr. Nixon confirmed that an Order for £6,600.00 is sought.

### **Findings in Fact**

7. From the Application and the CMD, the Tribunal made the following findings in fact: -

- i) There had been a private residential tenancy of the Property between the Parties;
- ii) Rent arrears of £7,150.00 accrued from December 2024 to December 2025;
- iii) A tenancy deposit of £550.00 fell to be deducted from that sum;

iv) £6,600.00 is due and owing by the Respondent to the Applicant.

### **Rule 17 (4) of the Rules**

8. The Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal “*may do anything at a case management discussion .....including making a decision*” . The Tribunal took the view that it had sufficient information to make a decision.

### **Decision and Reasons for Decision**

9. The Tribunal had regard to its Finding in Fact and determined that the Applicant is entitled to the Order as sought. Accordingly, the Tribunal granted an Order in the sum of £6,600.00.

### **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.**

# K.Moore

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5 June 2026