



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/25/4667

Re: Property at 3B Lord Gambier Wharf, Kirkcaldy, Fife, KY1 2SH (“the Property”)

Parties:

Jane Waters, 81 Barley Lane, Hastings, East Sussex, TN35 5NT (“the Applicant”)

John Ness, 3B Lord Gambier Wharf, Kirkcaldy, Fife, KY1 2SH (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Elizabeth Williams (Ordinary Member)

Decision (in absence of the Respondent)

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the Respondent in the sum of £7,250.00 with interest at the rate of 5 per cent per year from today’s date until payment.

Background

[2] The Applicant seeks a Payment Order in respect of rent arrears under a tenancy between the parties. The Applicant competently amended the sum claimed to £7,250.00.

[3] The Application is accompanied by a copy of the tenancy agreement and rent statements.

Case Management Discussion

[4] The Application called for a Case Management Discussion (CMD) by conference call at 10am on 5 May 2026. The Applicant was represented by Ms Capaldi, trainee solicitor.

There was no appearance by or on behalf of the Respondent. The Application and details of the conference call had been competently served on the Respondent by Sheriff Officers. As the Respondent was not present, the Tribunal decided to proceed in the Respondent's absence. Having heard from Ms Capaldi, the Tribunal made the following findings in fact.

Findings in fact

- 1. The Parties entered into a tenancy agreement in terms of which the Applicant let the Property to the Respondent.*
- 2. The sum of £7,250.00 is resting owed by the Respondent to the Applicant.*

Decision

[5] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £7,250.00 with an award of interest at the rate of 5 per cent per year from today's date until 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.

Andrew McLaughlin

Legal Member/Chair

5 May 2026

Date