

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Chamber Ref: FTS/HPC/CV/25/5271

Re: Property at 41 Stirling Street, Coatbridge, North Lanarkshire, ML5 5QR (“the Property”)

Parties:

Messrs Abdul Haleem, Messrs Perwaiz Akhtar, 10 Avonhead Road, Condorrat, Glasgow, G67 4RA (“the Applicant”)

Mr Claudiu Ilie, 41 Stirling Street, Coatbridge, ML5 5QR (“the Respondent”)

Tribunal Members:

Hilary Macandrew (Legal Member) and Ann Moore (Ordinary Member)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application be decided without a hearing and issued an order for payment should be granted in the sum of £5,253.

1) Background

- 1.1 This is an Rule 111 application whereby the Applicant was seeking an order for payment in the sum of £1,775 which had increased to £5,030 at the Tribunal date together with interest at the rate of 8% per annum. The Application was conjoined with an application seeking an order for eviction under reference FTTS/HPC/EV/25/5570
- 1.2 The application to the Tribunal was made by Form F on 4 December 2025 and was accepted for determination by the Tribunal on 2 February 2026.
- 1.3 Intimation of the application and of the Initial Case Management Discussion (CMD) was effected upon the Respondent by sheriff officers on 13 May 2026.

2) The Case Management Discussion

- 2.1 The CMD took place by tele conference on 12 June 2026 at 10am. The Applicant was represented by Mr Paul Clark. The Respondent represented himself.
- 2.2 Mr Clark confirmed that the property is 41 Stirling Street, Coatbridge, ML5 5QR.
- 2.3 Mr Clark confirmed that the parties entered into a Private Residential Tenancy Agreement which commenced on 21 May 2025 at a monthly rent of £725.
- 2.4 At the time of submitting the Notice to Leave the arrears were £1,775. The amount of arrears outstanding at the date of the application was £1,980. The amount of arrears outstanding at the date of the Tribunal was £5,030.
- 2.5 Mr Clark provided a current rent statement showing an increase in the amount of arrears to £5,030.
- 2.6 The Tribunal noted that only 3 months' rent had been paid timeously and in full, that being £725 in each of the months of May 2025, July 2025 and 21 September 2025. Rent had been in arrears since 21 June 2025.
- 2.7 Mr Clark was able to talk about the personal circumstances of the Applicant. The Applicant is a property landlord who run the tenancy as part of their business. They hold a portfolio of leased properties of which the subjects of the application are one. All the properties which they own and lease out are burdened by mortgages. The absence of rent is having an impact on the Applicant's financial position.
- 2.8 The Respondent was able to explain his own circumstances himself. He accepted that the rent is in arrears and he accepts that the current level of arrears is £5,030. He accepted that he has been in arrears since June 2025 which was the month after the tenancy started. He explained that he is single and that he moved to the property after a relationship broke down between him and his previous partner. He has no dependents living with him. He works in hospitality. He was able to narrate details of his income and outgoings to the Tribunal. He is prioritising non-essential outgoings over rent. He explained that his mother lives in Romania. His father lived in Romania and is deceased. His late father and mother owned a property in Romania and he is assisting his mother in obtaining the necessary documentation to enable her to sell the property and downsize. He has a sibling, a sister who lives in Glasgow. When pressed he could give no clear proposal to clear the arrears. He has no funds set aside for paying the arrears. He has no clear plan or budget to pay the current rent.
- 2.9 Rule 17 of the First-Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 provides that the Tribunal may do anything at a CMB which it may do at a hearing, including making a decision. The Tribunal

was satisfied that it had before it sufficient information and documentation to decide the application without a hearing.

3) Findings in Fact and Law

- 3.1 The Applicant and the Respondent entered into a Private Residential Tenancy Agreement in respect of the property which commenced on 21 May 2025.
- 3.2 The monthly rent due under the Private Residential Tenancy is £725 per month.
- 3.3 The rent arrears due as at the date of the Notice to Leave was £1,775.
- 3.4 The rent arrears due as at the date of the CMD is £5,030.
- 3.5 The Respondent has been in arrears of rent since June 2025.
- 3.6 The Applicant is entitled to recover rent lawfully due.
- 3.7 The application of interest is not reflected in the Private Residential Tenancy Agreement.

4) Reason for Decision

- 4.1 Rent lawfully due is outstanding. The Applicant is entitled to recover rent lawfully due.

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.

Hilary Macandrew

Legal Member/Chair

12 June 2026

Date