



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/25/4685

Re: Property at Flat 1/1, 3 Ettrick Place, Glasgow, G43 1UA (“the Property”)

Parties:

Mr Lewis Andrew, 5 Princes Terrace, Glasgow, G12 9JW (“the Applicant”)

Mr Paul McNab, Unknown, Unknown, G43 1UA (“the Respondent”)

Tribunal Members:

Mary-Claire Kelly (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to grant an order for payment in the sum of SIXTEEN THOUSAND EIGHT HUNDRED AND TWENTY-NINE POUNDS AND THREE PENCE (£16,829.03)

Background

1. By application dated 31 October 2025 the applicant seeks an order for payment in respect of rent arrears.
2. The applicant lodged the following documents with the application:
 - Copy tenancy agreement
 - Rent statement
3. A case management discussion (“cmd”) was assigned for 21 May 2025

Case management discussion – 21 May 2026- teleconference

4. The applicant attended with his representative, Mr Knowles, The Only Way is Hmo, letting agents. The respondent was not present or represented. Mr Knowles advised that an eviction order had been granted against the respondent on the ground of rent arrears. The order had become enforceable on 6 March 2026. The respondent had vacated the property and provided no forwarding address. The Tribunal noted that the papers had been served by advertisement in terms of rule 6A. The Tribunal was satisfied that the respondent had been properly notified of the cmd and proceeded in his absence.
5. Mr Knowles referred to an email submitted on 2 February 2026 which sought to increase the amount sought to £16,809.03 which was the amount of rent arrears outstanding when the tenancy ended.
6. Mr Knowles confirmed that the monthly rent due for the property was £975 and that no payments had been received from the respondent since November 2024. The respondent had covered the monthly rent only in 2 months since the tenancy commenced in July 2024.

Findings in fact

7. Parties entered in a tenancy agreement with a commencement date of 19 July 2024.
8. Monthly rent due in terms of the agreement was £975.
9. Outstanding arrears as at 6 March 2026 amounted to £16,829.03.
10. The respondent has not made any payments towards the rent since November 2024.
11. The tenancy terminated on 6 March 2026 after the applicant obtained an order for eviction on the ground of rent arrears.
12. The respondent did not submit and written opposition to the present application and did not attend the cmd to oppose an order being granted.

Reasons for the decision

13. Rule 17 (4) states:

The First-tier Tribunal may do anything at a case management discussion which it may do at a hearing, including making a decision.

14. Rule 18 states:

Power to determine the proceedings without a hearing

18.—(1) *Subject to paragraph (2), the First-tier Tribunal—*

(a) may make a decision without a hearing if the First-tier Tribunal considers that—

(i) having regard to such facts as are not disputed by the parties, it is able to make sufficient findings to determine the case; and

(ii) to do so will not be contrary to the interests of the parties; and

(b) must make a decision without a hearing where the decision relates to—

(i) correcting; or

(ii) reviewing on a point of law,

a decision made by the First-tier Tribunal.

(2) Before making a decision under paragraph (1), the First-tier Tribunal must consider any written representations submitted by the parties.

15. The Tribunal was satisfied that it was able to make a determination and that it was not contrary to parties' interest to do so at the cmd without the need for a further hearing.

16. The Tribunal had regard to the application, the tenancy agreement and rent statement that had been submitted by the applicant.

17. The Tribunal was satisfied that the sum sought was lawfully due. The Tribunal had no reason to disbelieve the unopposed information provided by the applicant and Mr Knowles in relation to level of arrears.

18. The Tribunal increased the sum sought to £16,829.03 in terms of rule 14A and granted an order for payment in that amount.

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.

Mary-Claire Kelly

Legal Member/Chair

22 May 2026
Date