



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

**Chamber Ref: FTS/HPC/CV/25/5366**

**Re: Property at 45 Stewart Crescent, Lochgelly, Fife, KY5 9PG (“the Property”)**

**Parties:**

**Mrs Susan Mitchell, 46 North Street, Lochgelly, Fife, KY5 9NH (“the Applicant”)**

**Miss Alina Finlay, 2 Adamson Road, Lochgelly, KY5 9PL (“the Respondent”)**

**Tribunal Members:**

**Yvonne McKenna (Legal 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 be made in favour of the Applicant due by the Respondent in the sum of £1414.66 (ONE THOUSAND FOUR HUNDRED AND FOURTEEN POUNDS AND SIXTY SIX PENCE ONLY).**

**Background**

1. An application was received from the Applicant on 10 November 2025 seeking a payment order in terms of rule 111 (Application for civil proceedings in relation to a private residential tenancy) of Schedule 1 to the First Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 (“the 2017 rules”). A tenancy agreement, rent statement, pre-action letters dated 10 and 19 November 2025, and extract bank statements were lodged with the application.
2. A copy of the application was served on the Respondent by Sheriff Officer on 30 April 2026. The parties were notified that a case management discussion (“CMD”) would take place by telephone conference call on 15 May 2026 at 10am and that they were required to participate.

## **The Case Management Discussion**

3. The CMD took place on 29 May 2026. The Applicant was present. The Respondent did not participate. No written representations or time to pay application was received from the Respondent prior to the CMD.
4. The Applicant said that she had heard nothing further from the Respondent and was not expecting her to contact her. The Respondent had previously stated to the Applicant that she was not due any money.

## **Findings in Fact**

5. The Applicant is the owner and landlord of the Property.
6. The Respondent was the tenant of the Property in terms of a private residential tenancy agreement which commenced on 27 January 2023.
7. The Respondent left the Property on 14 May 2024.
8. The calendar monthly rental was £575.
9. The Respondent currently owes £1414.66 in unpaid rent. The Applicant made efforts to engage the Respondent and issued correspondence to the Respondent.
10. The Respondent has failed to engage meaningfully with the Applicant or offer any explanation for the arrears.

## **Reasons for Decision**

11. The Tribunal accepted the unchallenged evidence of the Applicant regarding the sum of arrears of rent remaining due and unpaid by the Respondent.
12. The Tribunal also exercised the power within rule 17 of the 2017 rules and determined that a decision should be made at the CMD without a hearing.
13. The Tribunal was satisfied from the evidence before it that the Respondent owed the Applicant £1414.66 in unpaid rent. It therefore grants an order for payment by the Respondent to the Applicant for 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.**

Yvonne McKenna

Yvonne McKenna

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**Legal Member/Chair**

29 May 2026

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**Date**