



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

**Chamber Ref: FTS/HPC/CV/25/4554**

**Re: Property at 1 Mellendean Farm Cottage, Kelso, TD5 8HF (“the Property”)**

**Parties:**

**Floors Farming, Estate Office, Kelso, TD5 7SF (“the Applicant”)**

**Mr Jack Worrall (formerly Millington), Mrs Hannah Worrall (formerly Mackenzie), 12 Croft Road, Kelso, TD5 7EP (“the Respondents”)**

**Tribunal Members:**

**Richard Mill (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted an order against the Respondents for payment to the Applicant the sum of Seven Thousand Six Hundred Pounds (£7,600)**

Introduction

This is an application under rule 111 and section 71 of the Private Housing (Tenancies) (Scotland) Act 2016. The CMD took place by teleconference on 21 May 2026 at 11.30 am. The applicant was represented by Ms Sarah Finlayson who is the lettings manager. She was accompanied by her colleague Mr Ed Brown. The respondents both joined the hearing.

Findings and Reasons

The applicant landlord is Floors Farming which forms part of Roxburghe Estates. The respondents are Jack Millington and Hannah McKenzie who are the former tenants. The lease commenced on 1 October 2019. The respondents vacated the property on 1 September 2025.

It was accepted by the respondents that they had fallen into arrears of the contractual rental payments. The application is supported by a detailed rent account statement disclosing the sums of rent which fell due and the monies received. The tribunal found this documentary evidence credible and reliable and attached weight to it. The rent arrears disclosed total £8,211.39. The respondents challenged the requirement to pay the private water supply charged monthly on the basis that this is not specifically provided for in the written lease. Without formally conceding that component the applicant's representative was prepared to cap the arrears sought to a level of £7,600 to reflect the challenge. The respondents accepted this and consented to a payment order being made in that restricted sum.

The applicant is entitled to recover arrears of rent under and in terms of the lease. The respondents did not oppose the application and have not applied for a time to pay direction.

### **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.**

Richard Mill

21 May 2026

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Legal Member/Chair

\_\_\_\_\_  
Date