



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

Chamber Ref: FTS/HPC/CV/25/4578

Re: Property at 60 Marchfield Quadrant, Ayr, KA8 8PE (“the Property”)

Parties:

**Miss Sarah Morrison, The Gables Penberthy Road, Redruth, Cornwall, TR16 4LN
(“the Applicant”)**

**Mr Stephen Graham, 60 Marchfield Quadrant, Ayr, KA8 8PE (“the
Respondent”)**

Tribunal Members:

Robert MacDonald (Legal Member) and Elizabeth Williams (Ordinary Member)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that a payment order in the sum of Three Thousand and Twenty-Eight Pounds (£3028) be made in favour of the Applicant and against the Respondent.

Background

1. By application dated 23rd October 2025, the Applicant sought an order under Section 71 of the Private Housing (Tenancies)(Scotland) Act 2016 (“2016 Act”) and rule 111 of the First-tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 (“The Tribunal Rules”).
2. On 24th December 2025, the application was accepted by the Tribunal and referred for determination by the Tribunal.
3. A Case Management Discussion (“CMD”) was assigned to take place on 26th May 2026. Sheriff Officers served the paperwork in connection with the application on the Respondent on 27th April 2026.

4. The Tribunal invited the Respondent to make submissions to the Tribunal in respect of the application by 14th May 2026.
5. On 18th May 2026 the Applicant's agents lodged submissions and an updated rent account together with an amended Form F with the Tribunal, in terms of which they sought to increase the sum sought to £3028.
6. The rent statement lodged with the Tribunal showed that the arrears as at the date of the CMD were £3028.

Case Management Discussion

7. The CMD took place on 26th May 2026 by teleconference. The Applicant was represented by his agent, Mr Ferry Wallace Hodge & Co, Solicitors, Ayr. The Respondent was represented by Mr Anderson of Ayr Housing Aid Centre. Neither Applicant nor Respondent were present.
8. The Applicants agent invited the Tribunal to grant a Payment Order in the sum of £3028. He advised the Tribunal that the application to amend the sum sought had originally been forwarded to the Tribunal on the evening of 12th May 2026 but there had been a typographical error in it. It required to be re-submitted which is why it was dated 18th May 2026.
9. Mr Anderson on behalf of the Respondent accepted that the rent arrear was £3028. He did not oppose the late amendment to the sum claimed.

Findings in Fact

10. The Applicant is the registered owner of the property in terms of Land Certificate reference AYR37644.
11. The Applicant and the Respondent entered into a private residential tenancy agreement which commenced on 17th November 2023. The initial rent agreed was £525 per calendar month. The rent was increased to £625 per month on 1st May 2026. At the date of the application to the Tribunal, the arrears amounted to £2308. At the date of the CMD, the rent arrears amounted to £3028.

Reasons for Decision

12. The Tribunal accepted the unchallenged evidence of the Applicant regarding the level of arrears accumulated by the Respondent. As the application to amend the sum claimed was not opposed, the Tribunal granted that. The Respondent accepted the extent of the rent arrears.

Decision

13. The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that a payment order in the sum of Three Thousand and Twenty-Eight Pounds (£3028) be made in favour of the Applicant and against the Respondent.

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.

Robert MacDonald

27.5.26

Legal Member/Chair

Date