



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/25/3671

Re: Property at 73 Wallbrae Road, Cumbernauld, G67 2PD (“the Property”)

Parties:

**Mr Neagle Cathcart, 2a Westmount Park, Newtownards Co Down, BT23 4BP
 (“the Applicant”)**

**Ms Janiece Ndoye, 28 Lime Crescent Abronhill, Cumbernauld, G67 3PQ (“the
Respondent”)**

Tribunal Members:

Nairn Young (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that**

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent in terms of her short assured tenancy agreement with the Applicant. It called for a case management discussion (‘CMD’) at 11:30am on 22 May 2026, by teleconference. The Applicant was represented on the call by Mr John MacAulay. The Respondent was not on the call and was not represented. The commencement of the CMD was delayed by 10 minutes, in case of any technical difficulty; but there remained no contact from her.

Notice of the application and CMD was given to the Respondent by sheriff officers on 23 April 2026. As such, the Tribunal was satisfied she was aware of the application and had chosen not to oppose it.

- Findings in Fact

The following facts from the application were relied on by the Tribunal, as unopposed:

1. The Respondent entered into a short assured tenancy agreement with the Applicant in respect of the Property, with an initial term of 25 April 2015 to 25 October 2015, continuing thereafter month-to-month, unless terminated.
2. In terms of that agreement, rent of £695 was due every month.
3. There is provision within the tenancy agreement for an interest rate of 4% above the base rate of the Royal Bank of Scotland to be charged on any outstanding sums due.
4. The tenancy was terminated on 25 June 2025, at which point, the Respondent owed £2,566 in rent.
5. On termination, work to make the house habitable was required by the Applicant, to a value of £2,300.
6. No payment has been made by the Respondent towards either sum outstanding.
7. As at the date of the CMD, the RBS base rate was 3.75%.

- Reasons for Decision

The Respondent owes the sum sought in the application to the Applicant. The interest requested aligns with what is set out in the tenancy agreement. An order for payment of the amount sought, with interest as sought, should therefore be made.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of FOUR THOUSAND, EIGHT HUNDRED AND SIXTY-SIX POUNDS AND TWENTY-EIGHT PENCE STERLING (£4,866.28); with interest to be applied at the rate of 7.75% per annum from the date of the order to the date of payment.

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.

Nairn Young

Legal Member/Chair

Date: 15th June 2026