



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/25/5262

Property : 83 Lochlea Drive, Ayr KA7 3DS (“Property”)

Parties:

Stuart McKinlay, 1 Kelso Avenue, Paisely PA2 9JE (“Applicant”)

Umesh Sapkota, 83 Lochlea Drive, Ayr KA7 3DS (“Respondent”)

Tribunal Members:

Joan Devine (Legal Member)

Mary Lyden (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £7,132.26 should be made.

The Applicant sought an order for payment of £2,600 in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement which commenced on 15 February 2025 and a statement of rent arrears. The Application was served on the Respondent by sheriff officer on 4 June 2026. On 18 June 2026 the Applicant lodged an updated statement of arrears showing arrears of £7,132.26 at 15 June 2026.

Case Management Discussion (“CMD”)

A CMD took place before the Tribunal on 8 July 2026 by teleconference. The Applicant was represented by Gordon McKinlay. The Respondent was not in attendance. Mr McKinlay told the Tribunal that the last contact which the Applicant had with the Respondent was in January 2026. He said that the applicant had attempted to contact the Respondent by email, whatsapp and by visiting the Property but received no response. Mr McKinlay said he understood the Respondent is working but he did not know where or in what employment. He said that there had been no payments towards the arrears and the balance due was £7,132.26.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent entered into a Tenancy Agreement which commenced on 15 February 2025.
2. In terms of the Tenancy Agreement rent was due at the rate of £800 per month.
3. The Respondent failed to pay the rent in full for the period 15 August 2025 to 15 June 2026. The unpaid amount was £7,132.26.

Reasons for the Decision

The Tribunal allowed the sum claimed to be amended to £7,132.26. The Tribunal then determined to make an Order for payment. The Respondent failed to pay the rent in full for the period 15 August 2025 to 15 June 2026. The unpaid amount was £7,132.26.

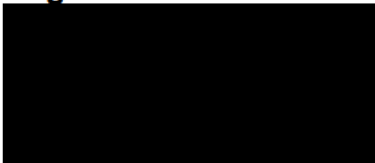
Decision

The Tribunal grants an order for payment of £7,132.26.

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.

Legal Member: J Devine



Date : 8 July 2026