



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017

Chamber Ref: FTS/HPC/CV/25/4958

Re: Property at Courtyard House, Dildawn Estate, Kelton, Castle Douglas, DG7 1SE (“the Property”)

Parties:

Mr William Moultrie, Dildawn House, Dildawn Estate, Kelton, Castle Douglas, DG7 1SE (“the Applicant”)

Mr Iain Stewart-Linnhe, formerly residing at Courtyard House, Dildawn Estate, Kelton, Castle Douglas, DG71SE and whose current whereabouts are unknown (“the Respondent”)

Tribunal Members:

Fiona Watson (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order is granted against the Respondent for payment of the undernoted sum to the Applicant:

**Sum of SIX THOUSAND TWO HUNDRED AND FIFTY POUNDS (£6,250)
STERLING**

- Background
1. An application was submitted to the Tribunal under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”), seeking a payment order against the Respondent in relation to rent arrears accrued under a private residential tenancy agreement.

- The Case Management Discussion

2. A Case Management Discussion took place on 19 June 2026 by telephone call. The Applicant was personally present and represented himself. There was no appearance by or on behalf of the Respondent. The application had been intimated on the Respondent by way of Website Advertisement between 5 June 2026 and 19 June 2026. This followed an unsuccessful Sheriff Officer service attempt at the former address. The Tribunal was accordingly satisfied that competent service had been carried out under Rule 6A of the Tribunal Rules and that the CMD could proceed in the Respondent's absence.
3. The Applicant moved for the order for payment to be granted in the sum of £6,250. The parties had entered into a Private Residential Tenancy Agreement. The monthly rent was £1,250. The Respondent had failed to make payment of rent between July 2025 and November 2025. Despite a number of attempts to correspond with the Respondent and reach agreement on repayment of the arrears, no payment had been forthcoming. The Respondent was believed to work in the finance industry and had children who attended private school. The Respondent and his family had moved out of the Property and no longer reside there. They have failed to respond to recent attempts by the Applicant to communicate with them, including a WhatsApp message sent advising them of today's CMD.

- Findings in Fact

4. The Tribunal made the following findings in fact:
 - (i) The parties entered into a Private Residential Tenancy Agreement ("the Agreement") which commenced 3 April 2021;
 - (ii) In terms of Clause 4 of the Agreement, the Respondent was obliged to pay a monthly rent of £1,250 to the Applicant;
 - (iii) The Respondent had failed to make payment of rent as fell lawfully due, and had accrued arrears amounting to £6,250.

- Reasons for Decision

5. The Tribunal was satisfied that the Applicant was entitled to the sum as sought. The Respondent was obliged to make payment of rent in the sum of £1,250 per month under Clause 4 of the Agreement and had failed to do so. They had accrued arrears amounting to £6,250 and which fell lawfully due to be repaid to the Applicant. The Applicant is entitled to the Order for Payment as sought.

- Decision

6. The First-tier Tribunal for Scotland (Housing and Property Chamber) granted an order against the Respondent for payment of the undernoted sum to the Applicant:

Sum of SIX THOUSAND TWO HUNDRED AND FIFTY POUNDS (£6,250)
STERLING

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.

F. Watson

Legal Member/Chair

Date: 19 June 2026