



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/25/4453

Re: Property at 14 Millfore Court, Irvine, KA11 1LT (“the Property”)

Parties:

Steven Easton Residential Limited, 2 Newfield Drive, Dundonald, South Ayrshire, KA2 9EW (“the Applicant”)

Miss Alison Burns, 14 Millfore Court, Irvine, KA11 1LT (“the Respondent”)

Tribunal Members:

Lauren Rae (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment should be granted against the Respondent in favour of the Applicant in the sum TWO THOUSAND TWO HUNDRED AND TWENTY-THREE POUNDS AND SIXTY-ONE PENCE STERLING (£2,223.61)

Background

1. By application dated 16 October 2025, the Applicant sought an order for payment of rent arrears in the sum of £2,708.61 in terms of Rule 111 of the First-tier Tribunal of Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“2017 Rules”)

The First Case Management Discussion (“First CMD”)

2. The case was conjoined with an eviction application (reference number FTS/HPC/EV/25/4452) The conjoined cases called for the First CMD on 13 April 2026 at 2pm.

3. The First CMD was continued to 29 June 2026 to ascertain whether the Respondent was eligible for a discretionary housing payment to clear, failing which reduce the level of arrears.

The Second Case Management Discussion (“Second CMD”)

4. The case called for the Second CMD on 29 June 2026 at 11.30am. The Applicant was represented Ms Ainslie Barclay from Easton Housing Limited. The Respondent was represented by Mr Alastair Meek from CHAP.
5. Ms Barclay advised that the Respondent’s discretionary housing payment application had been declined. This was confirmed by Mr Meek. Ms Barclay sought a payment order in reduced sum of £2,658.61. Mr Meek advised that the Applicant had retained the Respondent’s deposit of £435 which fell to be deducted from the £2,658.61. Ms Barclay confirmed that the deposit ought to be deducted and instead sought a payment order in the sum of £2,223.61. Mr Meek stopped short of consenting to a payment order but nor did he oppose the granting of the order.

Findings in Fact

6. The Parties are entered into a private residential tenancy agreement commencing on 1 October 2018.
7. The initial monthly rent was £435 which increased to £500 with effect from 10 February 2025.
8. The Respondent voluntarily vacated the Property on 16 March 2026.
9. The Respondent had accrued rent arrears of £2,658.61, conform to a rent statement lodged in process.
10. The Applicant has deducted the Respondent’s deposit of £435 from the rent arrears.
11. The sum resting owing to the Applicant by the Respondent is £2,223.61.

Reasons for Decision

12. Rent lawfully due is outstanding. The Respondent had applied for a discretionary housing payment to either clear or reduce the arrears which was refused. The Respondent’s agent whilst not consenting, offered no opposition to a payment order in the sum of £2,223.61 being granted.

Decision

13. An order for payment by the Respondent to the Applicant in the sum of £2,223.61 is granted.

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.

Lauren Rae

Legal Member/Chair

Date: 29 June 2026