



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 71 (1) of the
Private Housing (Tenancies) (Scotland) Act 2016**

Chamber Ref: FTS/HPC/CV/25/2567

Re: Property at 107 Sinclair Drive, Cowdenbeath, Fife, KY4 9RG (“the Property”)

Parties:

Ms Kari Ramsay, 15 Alder Drive, Perth, PH1 1ER (“the Applicant”)

**Nicola O'Donnell, Mr Ross Donoghue, 107 Sinclair Drive, Cowdenbeath, Fife,
KY4 9RG (“the Respondent”)**

Tribunal Members:

Yvonne McKenna (Legal Member) and Angus Lamont (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an Order for Payment is made against the Respondent, for payment to the Applicant in the sum of £7,000 (SEVEN THOUSAND POUNDS ONLY).

Summary of Discussion

1. The Applicant sought an Order for Payment of £7,000 in respect of rent arrears. The Applicant had lodged Form F. The documents produced were a Tenancy Agreement with a start date of 21 December 2020, redacted bank statements, and a rent statement showing arrears of £6,300 on 21 July 2025. An amended application was submitted on 22 August 2025, showing the arrears of rent being £7,000.
2. The Application was conjoined with an application for Eviction under chamber reference FTS/HPC/EV/25/2566.

3. Sheriff Officers had effected service on the Respondent on 23 January 2026.

First Case Management Discussion (CMD) on 11 March 2026

4. The Application called for a Case Management Discussion ("CMD") by conference call on 11 March 2026. The Applicant was represented by Ms Margaret Thomson, solicitor James Thomson & son. The Respondent was absent.
5. The tribunal enquired about the current position regarding the tenant. Ms Thomson said that the tenants remained in the Property and were still not paying any rent.
6. The tribunal asked about the position regarding the ownership of the Property and referred Ms Thomson to section 45 of the Private Housing (Tenancies) (Scotland) Act 2016. Ms Thomson said that the ownership of the Property was transferred into the Applicant's name and confirmed that she would be able to provide verification of that to the Tribunal. The original lease had been between the Respondent and the Applicant's father Mr Alan Kibble who had passed away.
7. Following the first CMD, on 22 August 2026, the Applicant produced confirmation that the title to the Property had been transferred into the name of the Applicant. In addition, an updated rent statement was produced.

The Second CMD (3 July 2026)

8. The Application called for a second CMD on 3 July 2026 by conference call. The Applicant was again represented by Ms Margaret Thomson, solicitor James Thomson & son. The Respondent was absent.
9. Mrs Thomson said that the Respondent was still living in the Property and had not paid any rent since 21 November 2024. She sought an Order for Eviction and a Payment Order.
10. The Property had previously belonged to the Applicant's father who is now deceased. The Applicant wishes to sell the Property. Since the Property was transferred to her, she has received no rental income from the Respondent. She is not a commercial landlord. This is the only property she owns which is being rented out.
11. The Applicant's agents had written to the Respondent requesting payment prior to making the Application. Nothing had materialised as a consequence.
12. The Respondent resides at the Property together with their two children. One of the children is 19 years of age. The youngest child is attending secondary school. There are three people residing in the Property who are in gainful employment. None of the rental received in the past was by benefit payments.

13. Neighbours have confirmed to the Applicant that the garden continues to be neglected with rubbish strewn around.

Findings in Fact

14. The parties entered into a Private Residential Tenancy with a commencement date of 21 December 2020.
15. The rent payments due under the lease were £550 per calendar month due in advance each month with the payments due on the final day of each month.
16. The Respondent has persistently not made rent payments.
17. The Respondent has been in arrears of rent since December 2024.
18. The amount outstanding as at 21 August 2025 was £7,000.
19. The Applicant seeks £7, 000 which is lawfully due to them in rent in terms of the lease.

Reasons for Decision

20. The Respondent has failed to make payment of the rent lawfully due in terms of the lease between the parties.
21. Having made the above findings, the tribunal determined to grant the Payment Order sought in favour of the Applicant. The tribunal noted there was a history of rent arrears. The Respondent did not engage with the Tribunal proceedings and is still in occupation of the property.

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.

Yvonne McKenna

Yvonne McKenna

3 July 2026

Legal Member/Chair

Date