



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 (Act)

Chamber Ref: FTS/HPC/CV/25/4627

Re: Property at 1 Redheugh Avenue, Kilbirnie, KA25 7JL (“the Property”)

Parties:

Mr Charles Hamilton, 12 Kosti Palama Street, Tala 8577, Paphos, Cyprus (“the Applicant”)

Mr Paul Gallagher, Mrs Lucia-Bianca Gallagher, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Alan Strain (Legal 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 be granted in the sum of £18,887.67.

Background

This is an application under Rule 111 of *The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (Rules)* and section 71(1) of the Act in respect of a claim for payment of a tenancy deposit.

The Tribunal had regard to the following documents lodged in advance of the Hearing:

1. Application received 28 October 2025;
2. Tenancy Agreement commencing 8 November 2019;
3. Rent Arrears Statement;
4. Certificate of Service by Advertisement dated 24 June 2026.

Case Management Discussion (CMD)

The case called for a CMD by conference call on 24 June 2026. The Applicant did not participate but was represented by Mr Colin Hamilton. The Respondent did not participate and was not represented.

The Tribunal delayed the start of the CMD to see if the Respondent would participate but they did not.

The Respondent had been served with notice of the CMD by Advertisement. The Tribunal had regard to the certificate to that effect. The Tribunal were satisfied that the Respondent had received notification of the CMD and that the Tribunal could determine the matter if it considered it had sufficient information to do so and the procedure was fair. The notification also advised the Respondent that they should attend and the Tribunal could determine the matter in absence if they did not.

The Tribunal then considered the documentary evidence it had received from the Applicant and in so far as material made the following findings in fact:

1. The Parties let the subjects under a PRTA commencing 8 November 2019;
2. The Respondent had outstanding rent arrears of £18,887.67 as at 5 December 2025.

Decision and Reasons

The Tribunal was satisfied that in the circumstances the Applicant was due payment of the rental arrears of £18,887.67 from the Respondent and granted the order sought.

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.

Alan Strain

Alan Strain

Legal Member/Chair

24 June 2026

Date