



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014

Chamber Ref: FTS/HPC/CV/25/5057

Re: Property at Flat 3, 7 Mains Road, Dundee, DD3 7RH (“the Property”)

Parties:

Mr Mohammad Shikari, 24 Milton Street, Dundee, DD3 6QQ (“the Applicant”)

Mr Martin Connor, Flat 3, 7 Mains Road, Dundee, DD3 7RH (“the Respondent”)

Tribunal Members:

Fiona Stephen (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 to grant an order for payment in the sum of NINE THOUSAND THREE HUNDRED POUNDS (£9 300.00) Sterling

Background

1. By application dated 24 November 2025 the Applicant seeks an order for payment in respect of rent arrears. The application was heard alongside conjoined application no FTS/HPS/EV/25/5050 seeking an order for eviction relying on ground 11 (persistent delay in paying rent) and ground 12 (rent arrears) both in schedule 5 of the Housing (Scotland) Act 1988.
2. The Applicant lodged the following document with the application:
 - i, Tenancy agreement
 - ii. Rent statement
3. The application was accepted by the Tribunal on 9 December 2025. A copy of the application was served on the Respondent by Sheriff Officer conform to execution of service dated 8 May 2026 and parties were notified that a Case

Management Discussion (“CMD”) would take place on 10 June at 2pm by telephone conference call and that they were required to participate. The Respondent was required to submit any written representations in response to the application by 23 May 2026. No representations were lodged.

4. Prior to the CMD the Applicant’s representative submitted an updated rent statement to 1 June 2026 showing that rent arrears had increased to £9 300.00.

The Case Management Discussion

5. The Applicant was represented by Mr Lawson of MML Law, Solicitors, Dundee. The Tribunal delayed the start of the CMD by a few minutes to give the Respondent an opportunity to appear. He did not do so.
6. The Tribunal asked various questions with regard to the application. The Tribunal noted that the tenancy agreement dated 1 July 2016 was originally between the parties Redwood Pubs Limited and the Respondent. The tenancy had commenced on 1 July 2016 and endured until 30 June 2017 and continued monthly thereafter if not terminated, terminating on no less than 2 months’ notice. The Applicant had purchased the Property on 3 November 2023 as per the Title Sheet no ANG93512. The Tribunal asked the Applicant’s representative how the Respondent had been notified of the change in ownership and payment details for the rent given that the rent arrears started to accrue on 1 December 2023. The Applicant’s representative explained that he had spoken to the Applicant about this. The Applicant had spoken to the Respondent at the time about the change in ownership and new payment details.
7. The Tribunal noted that the arrears were substantial, standing at £9 300.00 as at 1 June 2026. No rent had been paid since 1 December 2023.
8. The Applicant’s representative sought an order for payment in the sum of £9 300.00.

Findings in Fact

9. The Applicant is the owner and landlord of the property.
10. The Respondent is the tenant of the property.
11. The tenancy is an assured tenancy which commenced on 1 July 2016.
12. The original parties to the lease were Redwood Pubs Limited and the Respondent.
13. The Applicant purchased the Property on 3 November 2023 and was in right of the landlord’s interest in the tenancy from that date.

14. The contractual assured tenancy terminated on 30 October 2025.
15. The monthly rent due in terms of the tenancy is £300.
16. Rent arrears at the date the application was submitted were £6 300.00.
17. Rent arrears as at the date of the CMD amounted to £9 300.00.

Reasons for Decision

18. The Tribunal was satisfied that it was able to make a determination and that it was not contrary to parties' interest to do so at the CMD without the need for a hearing all in terms of Rules 17 and 18 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 ("the procedure rules").
19. The Tribunal took into account that the Respondent had not lodged any defence to the application or disputed the sum sought in any way.
20. The Tribunal was satisfied that the sum sought ought to be increased to £9 300.00 in accordance with the updated rent statement.
21. The Tribunal was satisfied that arrears in the sum of £9 300.00 were lawfully due as at the date of the CMD.

Decision

The Tribunal determined to grant an order for payment in the sum of £9 300.00.

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.

**Fiona Stephen
Legal Member/Chair**

**10 June 2026
Date**

