

Housing and Property Chamber
First-tier Tribunal for Scotland



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 51 Private Housing
(Tenancies) (Scotland) Act 2016 (“the 2016 Act”)**

Chamber Ref: FTS/HPC/CV/25/3360

Property at 100 Croft Crescent, Markinch, Glenrothes, KY7 6EJ (“the Property”)

Parties:

Mr William Shannon, Mrs Pamela Shannon, 92a Main Street, Coaltown of Balgonie, Glenrothes, KY7 6HX (“the Applicants”)

Ms Kelly-Anne Stroud or Reidy, 100 Croft Crescent, Markinch, Glenrothes, KY7 6EJ; 187 Inverary Avenue, Glenrothes, KY7 4QS (“the Respondent”)

Tribunal Members:

Josephine Bonnar (Legal Member) and Mary Lyden (Ordinary Member)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that a payment order for £9012.89 should be granted against the Respondent in favour of the Applicants.

Background

1. The Applicants seek a payment order in relation to unpaid rent. Various documents, including an unsigned tenancy agreement, Notice to Leave and rent statement were lodged with the application.
2. A copy of the application was served on the Respondent, and the parties were notified that a case management discussion (“CMD”) would take place on 2 February 2026 at 2pm. Prior to the CMD, the Applicants submitted an updated rent statement and a request to amend the application to the sum of £5992.89.
3. The CMD took place on 2 February 2026. The Applicants were represented by Ms Forbes, solicitor. The Respondent participated. A related application under Chamber Reference EV/25/3357 was also discussed.
4. Ms Stroud told the Tribunal that she accepted that the sum specified in the updated rent statement is unpaid. However, she said that this was due to the

Applicants failing to provide her with a tenancy agreement. An agreement was not signed at the start of the tenancy. They told her it was not required. However, her universal credit payments stopped because she could not provide the DWP with a tenancy agreement. It took several months to get this from the Applicants. They eventually turned up at her home with it. The payments resumed when she was able to provide the DWP with a copy.

5. The Tribunal determined that the applications would proceed to an evidential hearing.
6. Following the CMD, the Tribunal issued a direction which required the parties to submit certain information and documents before the Hearing. The parties were notified that the Hearing would take place by telephone conference call on 9 July 2026. Prior to the Hearing the Applicants lodged request to amend the case to the sum specified in an updated rent statement which was also submitted.
7. The Respondent did not respond to the direction or contact the Tribunal prior to the hearing.
8. The Hearing took place on 9 July 2026 at 10am. The Applicants both attended and were represented by Ms McGowan. The Respondent did not participate and was not represented.

The Hearing

9. The Applicants and their representative told the Tribunal that, as far as they are aware, the Respondent is now living at 187 Inverary Drive, Glenrothes. The information was provided by a neighbour and the letter sent to her at this address was delivered and signed for. However, the keys for the property have not been returned and the Respondent has not given written notice or confirmed in writing that the tenancy is terminated. Ms McGowan confirmed that the eviction order is still sought. In response to questions from the Tribunal, the Applicants said that the payments to the rent account from Universal Credit stopped in March 2026. They thought that this might be due to the Respondent moving to a new home. The neighbour said that she moved out in May. However, Mr Shannon was at the property in May with a gas engineer to do the gas safety check. He had given proper notice of the visit and when the Respondent did not answer the door, they entered the property so that the inspection could be carried out. There was no furniture in the property although some clothing was still there.
10. The Tribunal was told that the last payment made by the Respondent to the rent account was in October 2024. The Applicants contacted Universal Credit and received direct payments between April 2025 and February 2026. There have been no payments since that date, and the arrears are now £9012.89. The Applicants also confirmed that Mr Shannon's son intends to move into the property as soon as it is recovered. His reasons are as set out in his affidavit, and he is currently sleeping on a couch in his mother's house. The Applicants

confirmed that the property is their only rental. They do not know whether the Respondent's new home is a Council or housing association house or a private let. She has a partner and may have moved in with him. Her son is also staying at the new address. It is understood that the Respondent is currently working as support assistant at a local primary school.

Findings in Fact

11. The Applicants are the owners and landlords of the property.
12. The Respondent is the tenant of the property in terms of a private residential tenancy agreement.
13. The Respondent is due to pay rent at the rate of £700 per month.
14. The Respondent has been in arrears of rent since July 2024, and no payments have been made to the rent account since February 2026.
15. The Respondent currently owes £9012.89 in unpaid rent.

Reasons for Decision

16. Based on the documents lodged and the information and evidence provided by the Applicants the Tribunal is satisfied that the Respondent owes the sum of £9012.89 in unpaid rent and that a payment order should be granted.

Decision

17. The Tribunal determines that a payment order should be granted against the Respondent.

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.

Josephine Bonnar, Legal Member

13 July 2026