



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ('The Procedure Rules') in relation to an application for civil proceedings relative to a Private Residential Tenancy under Rule 111 of the Procedure Rules.

Chamber Ref: FTS/HPC/CV/25/3548

Re: 7 Swan View, 554 Wellesley Road, Methil, KY8 3PE ('the Property')

Parties:

Christine Grist residing at Shoreline, 22 Miller Terrace, St Monans, KY10 2BB ('the Applicant')

Samantha Sunter, address unknown, residing sometime at 10 Fairisle Road, Kirkcaldy, Fife, KY2 6ED ('the Respondent')

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal')

Tribunal Members: Jacqui Taylor (Legal Member)

Background.

1. The Applicant submitted an application to the Tribunal dated 13th August 2025 for a payment order in the sum of £3150 due by the Respondent. The application stated that the sums claimed arose from a private residential tenancy under Rule 111 of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 ('the Rules') and section 71 of the Private Housing (Tenancies) (Scotland) Act 2016. The detail of the application is as follows:

' In December 2024 I told Sam that I intended to sell 7 Swan View. Sam said she would like to buy it but could not secure a mortgage. The last rent I received from her was in December 2024. She moved out without telling me in or around 21st June 2025. I sent her a Notice to Leave on 25th February 2025 but Sam ignored it as she had nowhere to go. I would like the Tribunal to secure the rent from December 2024 until she moved out on 21st June 2025. The rent was £450 per month so I am requesting that Sam

2. Documents lodged with the Tribunal by the Applicant were:-

2.1 A copy of the undated private residential tenancy agreement between the parties. The commencement date of the tenancy was 1st June 2021 and the rent was £450 per month.

2.2 Rent statement for the period 22nd November 2024 to 22nd July 2025 showing £3150 rent arrears.

2.3 2.3 Email from Shona Crichton dated 1st September 2025 confirming that Christine Grist can make the application for rent arrears.

3. By Notice of Acceptance by Mary-Claire Kelly, Convener of the Tribunal, dated 15th September 2025 she intimated that she had decided to refer the application (which application paperwork comprises documents received between 19th August 2025 and 1st September 2025) to a Tribunal.

4. The First Case Management Discussion.

This case called for the first conference call Case management Discussion (CMD) at 10am on 23rd February 2026. The Applicant attended. As the Respondent had not been served with details of the CMD the requirements of Tribunal Rule 29 had not been complied with and the Tribunal adjourned the CMD to allow time for the Applicant to submit an application for service by advertisement and also to provide the Tribunal with a copy of the Notice to Leave she had served on the Respondent. The CMD was continued to an adjourned CMD.

5. Additional Productions lodged by the Applicant.

The Applicant lodged a copy of the Notice to Leave addressed to the Respondent dated 9th June 2025.

6. The Second Case Management Discussion.

This case called for the second conference call Case management Discussion (CMD) at 10am on 3rd July 2026.

The Applicant attended.

The Respondent did not attend. She had been served with a letter advising her of the CMD by advertisement on the Chamber website during the period 4th June 2026 to 3rd July 2026. The Tribunal were satisfied that the requirements of Tribunal Rule 29 had been complied with and continued with the CMD.

6.1 The Applicant advised:

6.1.1 She has provided the Tribunal a copy of the Notice to Leave that she served on the Respondent. She hand delivered it to her.

6.1.2 The Tenant had not paid a deposit.

6.1.3 The Tenant vacated the Property on or around 21st June 2025 without telling her.

6.1.4 The outstanding rent due by the Respondent amounts to £3150 and she seeks a payment order for this sum.

7. Decision

The Tribunal made the following findings in fact:

7.1 The Respondent had been Tenant of the Property in terms of the lease between the parties.

7.2. The lease was a Private Residential Tenancy in terms of the Private Housing Tenancies (Scotland) Act 2016 ('The 2016 Act').

7.3. The Applicant was Landlord of the Property and heritable proprietor of the Property.

7.3The title of the Property is Land Certificate title number FFE87458.The heritable proprietors are Christine Grist and Shone Crichton.

7.4The Tenancy commenced on 21st June 2021.

7.5The rent due in terms of the tenancy was £450 per month, payable monthly in advance.

7.6The Tenant vacated the Property on or around 21st June 2025.

7.7 The Tenant had not paid a deposit.

7.8 The outstanding rent due by the Tenant amounted to £3150.

8. Decision.

The Tribunal determined that the Respondent was due outstanding rent to the Applicant in the sum of THREE THOUSAND ONE HUNDRED AND FIFTY POUNDS £3150 and accordingly they issued an Order for Payment in this sum.

9. 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.

Jacqui Taylor

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..... Legal Member

3rd July 2026