



**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/25/2563**

**Re: Property at 2/1 2 Marshalls Lane, Paisley, PA1 1UU (“the Property”)**

**Parties:**

**V1 Properties Ltd, Clyde Offices, 48 2/3, West George Street, Glasgow, G2 1BP (“the Applicant”)**

**Mr Gavin Heron, 2/1 2 Marshalls Lane, Paisley, PA1 1UU (“the Respondent”)**

**Tribunal Members:**

**Mary-Claire Kelly (Legal Member) and Ahsan Khan (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 THIRTEEN THOUSAND SEVEN HUNDRED AND THIRTY-SEVEN POUNDS AND FIFTY PENCE (£13737.50) with interest at the rate of 3.75% per annum from the date of the order.**

**Background**

1. By application dated 11 June 2025 the applicant seeks an order for payment in respect of rent arrears. The application was heard alongside conjoined application FTS/HPC/EV/25/2555 seeking an order for eviction.
2. The applicant lodged the following documents with the application:
  - Bank statement
  - Rent statement

- Copy correspondence between parties
3. A case management discussion (“cmd”) took place on 5 December 2025. The applicant was represented by Miss Herd, solicitor Clarity Simplicity Ltd. The respondent was personally present.
  4. The respondent opposed both conjoined applications. The respondent accepted that he had defaulted in his rent payments but disputed the arrears figure stated by the applicant. The Tribunal adjourned the application to an evidential hearing. A cmd note and Direction were issued to parties. The respondent was directed to lodge written representations setting out his proposed defence to the application by 30 January 2026.
  5. The respondent did not submit any written representations or documentary evidence in advance of the hearing. The applicant submitted an updated rent statement and a request to amend the amount sought.

**Hearing – 19 June 2026.**

6. Mr Devlin, solicitor, Clarity Simplicity Ltd appeared on behalf of the applicant. The respondent was not present or represented. The Tribunal was satisfied that the respondent had been properly notified of the hearing and proceeded in his absence in terms of Rule 29.
7. Mr Devlin sought to increase the sum sued for in terms of Rule 14A. He referred to the updated rent statement and the request to amend that had been submitted on 4 June 2026.
8. Mr Devlin referred to the rent statement which showed that arrears had increased to £13,737.50 and that the respondent had made no payments of rent since November 2024.
9. Mr Devlin stated that the respondent had not provided any explanation for his failure to make payment of rent. The arrears are substantial. Mr Devlin stated

that the respondent had failed to comply with the Direction and had not attended the hearing to oppose an order being granted.

10. Mr Devlin sought interest on the amount awarded at the rate of 8%.

### **Findings in fact**

11. Parties entered into a private residential tenancy agreement with a commencement date of 23 July 2020.

12. Monthly rent payable in terms of the tenancy agreement is £450.

13. Rent arrears began to amass in December 2022.

14. Rent arrears have increased to £13,737.50.

15. The respondent has not paid any rent since November 2024.

### **Reasons for the decision**

16. The Tribunal had regard to the application and the documents lodged by the applicant and the respondent. The Tribunal also took into account Mr Devlin's oral submissions made at the hearing.

17. No written tenancy agreement had been provided however it had not been disputed at the cmd that parties had entered into a private residential tenancy agreement with a commencement date of 23 July 2020. The respondent had not disputed that the monthly rent due was £450. This was evidenced by bank statements showing payments at that rate by the respondent from the date of commencement.

18. The Tribunal was satisfied that the request to amend the sum sued for had been made in compliance with Rule 14A and allowed the requested amendment.

19. The Tribunal was satisfied that arrears in the amount of £13,737.50 were lawfully due as at the date of the hearing. The Tribunal accepted that the rent

statements provided were accurate. The respondent had not submitted any written opposition to the application and had failed to attend the hearing to oppose an order being granted.

20. The Tribunal determined to grant interest on the sum sought at the Bank of Scotland base rate of 3.75% from the date the order was granted.

### **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.**

**Mary Claire Kelly**

**19 June 2026\_**

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**Legal Member/Chair**

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**Date**