



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies)(Scotland) Act 2016 (“the Act”)

Chamber Ref: FTS/HPC/CV/24/5587

Re: Property at The Cairn, Crosshill Street, Airdrie, ML6 9DA (“the Property”)

Parties:

Mr Stephen Broadley, 6 Railway Road, Airdrie, ML6 9AB (“the Applicant”)

Mr Michael McMenamin, Miss Laetitia Panneteir, UNKNOWN, UNKNOWN (“the Respondents”)

Tribunal Members:

Steven Quither (Legal Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondents are jointly & severally liable to pay to the Applicant the sum of TWENTY NINE THOUSAND EIGHT HUNDRED AND FORTY POUNDS 84 PENCE (£29840-84) STERLING.

BACKGROUND

1. This is an application dated and lodged on 5 December 2024 for payment of rent arrears arising out of a Private Residential Tenancy (“PRT”) between the parties in respect of the Property commencing 1 July 2022 at a rent of £15000 per 6 monthly period, but which appears, in practice, to have operated on a monthly rent of £2500.
2. When this application was lodged, there were outstanding rent arrears of £8500, per Rent Statement lodged with the application.

3. The Tribunal accepted the application by Notice of Acceptance of 25 March and a Case Management Discussion ("CMD") was duly fixed for 13 October, both 2025.
4. The Respondents did not attend said CMD, by which time the total sum sought by the Applicant was £29840-84 per email dated 10 October 2025 from his representatives, SBC Properties, Unit 6 Railway Road, Airdrie ("SBC").
5. At said CMD the Tribunal granted an order in the Applicant's favour for payment of £29849-84. Reference is made to the Tribunal's Order and Decision of said date.
6. Said Order and Decision were subsequently recalled by the Tribunal by Decision of 19 December 2025 and a further CMD before a differently constituted Tribunal was ordered to be fixed and duly assigned for 6 July 2026 at 2pm.
7. Prior to said further CMD, preliminary consideration of the supporting documentation confirmed Service by Advertisement had been effected for both Respondents, per Tribunal Certificate of Service by Advertisement, their present whereabouts being unknown. In addition, attempts had been made to intimate said CMD by email to them both.

CASE MANAGEMENT DISCUSSION on 6 JULY 2026

8. The CMD took place by teleconference and commenced shortly after 2pm, with Marilyn Kent from SBC representing the Applicant and no attendance or representation by or on behalf of either Respondent.
9. Mrs Kent simply confirmed she was asking for the order to be granted and for the sum of £29840-84.
10. The Tribunal was content to grant the Order for the sum sought, with the exception of the slight change in the amount, which Mrs Kent confirmed was £29840-84. For ease of reference, with that slight change to the amount, the following Findings in Fact reflect those made by the previous Tribunal, since this Tribunal saw no reason to alter them.

FINDINGS IN FACT

11. The parties entered into a PRT for the Property dated 1 July 2022.

12. The rent in terms of the PRT was £15,000 for the first 6-month period, and then £2,500 per month thereafter.
13. The Respondents stopped paying rent in October 2024 but remained in the property until 25 August 2025. At the date the application was submitted there were arrears of rent totalling £8,500.00, which subsequently increased to £27,500.00.
14. The Respondents left the Property damaged and in a poor condition. A broken window had to be repaired. The garage door lock had to be replaced. The property required significant cleaning and redecoration. The garden was overgrown and strewn with rubbish. A removal firm had to be employed to clear the Respondents' possessions from the Property.
15. The Applicant incurred costs to contractors and tradesmen of £2,340.84 to clear the Property and remedy the damage left by the Respondents. The Respondents are liable for those costs.
16. The Respondents are in rent arrears of £27500 as at the date of the CMD and, in addition, are liable to the Applicant for a further £2340-84 in respect of said additional costs, making a total due by the Respondents to the Applicant of £29840-84.

REASONS FOR DECISION

17. The Tribunal was satisfied that the rent arrears and other costs had accrued per Rent Statements and other information produced by the Applicant.
18. That being so, the Tribunal considers it just to make an order for payment against the Respondents for £29840-84.
19. Said Order will be against the Respondents jointly and severally, reflecting their responsibility for payment of their obligations for the Property per Clause 1 of said PRT.

DECISION

20. To grant the order for payment sought by the Applicant jointly and severally against the Respondents in the sum of £29840-84.

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.

SR QUITHER

6 JULY 2026

Legal Member/Chair

Date

SR QUITHER