



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 and Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)

Chamber Ref: FTS/HPC/CV/26/0628

Re: Property at 312/E Queen Street, Broughty Ferry, DD5 2HQ (“the Property”)

Parties:

Ms Kirsty Doig, 3B Meadow Mill, West Henderson Wynd, Dundee, DD1 5BY (“the Applicant”)

Ms Laura Wheelan, Rent Locally Tayside and Fife (“the Applicant’s Representative”)

Miss Catriona Massie, 312/E Queen Street, Broughty Ferry, DD5 2HQ (“the Respondent”)

Tribunal Members:

Martin McAllister (Legal Member) and Eileen Shand (Ordinary Member) (“the tribunal”)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order be made against the Respondent for payment of the sum of TWO THOUSAND FOUR HUNDRED AND TWO POUNDS (£2402) to the Applicant.

Background

- 1. On 9 February 2026, the Applicant submitted an application to the First-tier Tribunal for Scotland seeking payment of the sum of £2402 in respect of rent arrears.**
- 2. The application was accepted for determination on 21 April 2026.**

3. A case management discussion was held by teleconference on 7 September 2026.
4. An application for an order of eviction was considered on the same date.
5. The Applicant was not present and was represented by Ms Laura Wheelan. There was no appearance by the Respondent and it was noted that the details of the case management discussion had been intimated to her by Sheriff Officer on 30 July 2026.

Preliminary Matters

6. The tribunal noted that the Respondent had received intimation of the case management discussion. It decided that, in the circumstances, the case management discussion could continue in her absence.
7. The legal member explained the purpose of a case management discussion.
8. Ms Wheelan confirmed that the sum being sought was in relation to rent arrears for the Property.
9. The Applicant referred to an email which she had submitted to the Tribunal on 27 August 2026 and to an updated rent statement which she had lodged on the same date. She said that the rent statement showed that the current level of arrears was £5989.53 and that she was seeking an order for that amount. The Applicant said that she had not sent a copy of the updated rent statement to the Respondent.
10. The Applicant was advised of the terms of Rule 14 A of the Tribunal Rules. The submission for amendment of the sum sought had not been requested at least fourteen days prior to the case management discussion and it had not been intimated to the Respondent. Because of the Applicant's failure to comply with Rule 14A (1), the tribunal confirmed that it would not permit amendment to the sum being sought.

11. Findings in Fact

- 11.1 The parties entered into a private residential tenancy agreement in respect of the Property.
- 11.2 The tenancy agreement was dated 31 May 2019.
- 11.3 The tenancy commenced on 31 May 2019.
- 11.4 The Respondent has a contractual obligation to pay rent.
- 11.5 The sum due and unpaid in respect of rent as at 9 February 2026 was £2402.

11.6 The Respondent has made no payment in respect of the rent arrears of £2402 which remain due.

12. Documents before the tribunal

12.1 Private Residential Tenancy Agreement dated 31 May 2019.

12.2 Rent statement from 31 May 2019 and 31 January 2026 showing arrears of rent of £2402 at the latter date and arrears of £5989 as at 27 August 2026.

12.3 Sheriff Officer's Certificate of Intimation of Service dated 30 July 2026.

Reasons

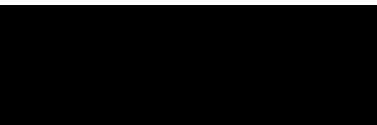
13. The tribunal considered that there was no reason to adjourn the determination of the application to a Hearing. Ms Wheelan said that she had no further evidence to produce.

14. The tribunal accepted that the Respondent owed £2402 as at 9 February 2026 according to the rent statement before it. The Tribunal accepted that the respondent had an obligation, in terms of the private residential tenancy agreement, to pay the rent and that the rent statement was accurate.

15. The appropriate standard of proof is the balance of probabilities and the tribunal considered that this threshold had been crossed and that it was appropriate to grant the payment order. It accepted the documentary evidence before it and the representations of the Ms Wheelan.

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.



**Martin J. McAllister
Legal Member
7 September 2026**