

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 2016 Act”)

Chamber Ref: FTS/HPC/CV/26/1199

Re: Property at 1 Milne Meadows, Old Craighall, EH21 8TA (“the Property”)

Parties:

LAR Housing Trust, Buchan House, Enterprise Way, Dunfermline, Fife, KY11 8PL (“the Applicant”)

Miss Lynsey Ann Turner, 1 Milne Meadows, Old Craighall, EH21 8TA (“the Respondent”)

Tribunal Members:

Craig Chisholm (Legal Member) and Eileen Shand (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order should be granted against the Respondent for payment of Four Thousand Pounds (£4,000.00) sterling, with interest at the rate of 3.75 per cent per annum from 18 September 2026, the date on which the First-tier Tribunal decided to grant the order, until payment.

Background

1. By application dated 16 March 2026, the Applicant sought an order in terms of rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Procedure Rules”).
2. On 22 April 2026 the application was accepted by the Tribunal and referred for determination by the Tribunal.
3. A Case Management Discussion (CMD) was set to take place on 18 September 2026, and appropriate intimation of that hearing was given to all parties.

The Case Management Discussion

4. The CMD took place on 18 September 2026 *via* telephone conference call. The Applicant was represented by Mrs Mullen, Messrs TC Young Solicitors. The Respondent was personally present.
5. The Tribunal explained the purpose of the CMD and the powers available to the Tribunal to determine matters.
6. The Tribunal asked various questions of the parties regarding the application.
7. The Applicant's representative confirmed that the Applicant wished the Tribunal to make the order for payment.
8. The Respondent confirmed she was opposed to an order being made in full and sought time to pay.

Findings in Fact

9. The Applicant is the registered owner of the Property.
10. The Applicant and the Respondent are respectively the landlord and tenant under a Private Residential Tenancy Agreement in terms of the 2016 Act for the Property, commencing on 3 May 2025.
11. The initial agreed monthly rent was £584.10. It was increased to £602.79 per month on 1 August 2026.
12. Arrears have accrued since around July 2025 and at the date of the lodging of the application arrears amounted to £2,549.50.
13. The amount of arrears at the date of the CMD was £4,719.30. On 19 September 2026, the Respondent made a payment of £719.30 to the Applicant, as confirmed by a screenshot from her banking application.
14. Appropriate accounting had been provided in respect of the outstanding rent as at the date of the application to the Tribunal.

Reason for Decision

15. The Tribunal accepted the evidence of the Applicant's representative regarding the sums outstanding.
16. The level of arrears was not disputed by the Respondent.
17. The Tribunal exercised the power within rule 17 of the Procedure Rules and determined that a final order should be made at the CMD.

Decision

18. The order for payment of the sum of £4,000.00 is granted. At the request of the Applicant, the Tribunal exercised its discretion under rule 41A of the Procedure Rules to grant interest on the payment order at the rate of 3.75 per cent per annum until payment.

Right of Appeal

In terms of section 46 of the Tribunals (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.

C. Chisholm

Legal Member/Chair

18/09/26

Date