



**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**

Chamber Ref: FTS/HPC/CV/26/0802

Re: Property at 7 Brankholm Lea, Hamilton, ML3 9FG (“the Property”)

Parties:

**Lowther Homes Limited, Wheatley House, 25 Cochrane Street, Glasgow, G1 1HL
 (“the Applicant”)**

**Mrs Catherine Law, Mr Kevin Law, 7 Brankholm Lea, Hamilton, ML3 9FG; 7
Brankholm Lea, Hamilton, ML3 9FG (“the Respondent”)**

Tribunal Members:

James Bauld (Legal Member) and Ahsan Khan (Ordinary Member)

Decision (in absence of the Respondents)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order should be granted for payment in the sum
of SEVEN THOUSAND, THREE HUNDRED AND SIXTY SEVEN POUNDS AND SIX
PENCE (£7,367.06) together with interest at the rate of 3% per annum from 17
February 2026 until payment**

Background

1. By application dated 17 February 2026, the applicant sought an order under section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the Act”) and in terms of rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the procedure rules”).
2. On 10 March 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 25 August 2026 and appropriate intimation of that hearing was given to the parties.

The Case Management Discussion

4. The Case Management Discussion (CMD) took place on 25 August 2026 via telephone case conference. The applicant was represented by Ms. Katie Graham, solicitor, Wheatley Group, Glasgow. She was accompanied by Mr Ross Walker the letting agent for the property from the applicant. The Respondents did not take part.
5. The tribunal asked various questions of the applicant's representative with regard to the application.
6. The applicant's representative confirmed that she wished the order for payment to be made.

Findings in Fact

7. The Applicant is the registered owner of the property.
8. The Applicant and the Respondent as respectively the landlord and tenant entered into a tenancy of the property which commenced on 20 March 2020.
9. The tenancy is a private residential tenancy in terms of the Act.
10. The agreed monthly rent was £510 and has been increased annually and is currently £681.41 per month.
11. Arrears had started to accrue from September 2024 and at the date of the lodging of the application arrears amounted to £7,367.06.
12. At the date of the CMD the arrears amounted to £11,262.67
13. Appropriate accounting had been provided in respect of the outstanding rent with the application to the tribunal.

Reasons for Decision

14. The tribunal accepted the unchallenged evidence of the applicant regarding the outstanding sums.

15. The amount outstanding at the date of the CMD was £11,262.67. No appropriate application had been lodged and intimated by the applicant's representative increasing the sum claimed from the amount sought in the application, which was £7,367.06. The applicant sought interest at 3% on that sum from the date of the lodging of the application which was 17 February 2026. The claimed interest rate was set out in the tenancy agreement at clause 37.2. The tribunal was content to make an order for payment of the sum claimed together with interest at the specified rate.
16. The tribunal also exercised the power within rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 and determined that a final order should be made at the CMD.

Decision

The order for payment of the sum of £7,367.06 is granted together with interest at the rate of 3% per annum from 17 February 2026 until payment

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.

J. Bauld

25th August 2026

Legal Member/Chair

Date