

Housing and Property Chamber
First-tier Tribunal for Scotland



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/26/2757

Re: Property at 35 Torlum Crescent, Newton Mearns, Glasgow, G77 5GS (“the Property”)

Parties:

Mrs Zhongyan Wang, 16 Rochester Avenue, Chorlton, Manchester, M21 7DE (“the Applicant”)

Miss Karen Park, Mr Stephen Foote, 35 Torlum Crescent, Newton Mearns, Glasgow, G77 5GS (“the Respondents”)

Tribunal Members:

Gabrielle Miller (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicant is entitled to an order for payment for £20,000 (TWENTY THOUSAND POUNDS) with interest at 4% per annum from the date of this decision, namely 7th September 2026.

Background

1. An application was received by the Housing and Property Chamber dated 13th June 2026. The application was submitted under Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the 2017 Regulations”). The application was based on outstanding rent arrears.
2. On 29th July 2026, all parties were written to with the date for the Case Management Discussion (“CMD”) of 7th September 2026 at 2pm by teleconferencing. The letter also requested all written representations be submitted by 19th August 2026.

3. On 30th July 2026, sheriff officers served the letter with notice of the hearing date and documentation upon the Respondent by letterbox service. This was evidenced by Certificate of Intimation dated 30th July 2026.
4. On 31st August 2026, the Applicant emailed the Housing and Property Chamber lodging supporting information and advising the current arrears were £26,500.
5. The case was conjoined with case FTS/HPC/EV/26/0488.

The Case Management Discussion

6. A CMD was held on 7th September 2026 at 2pm by teleconferencing. The Applicant was present and was represented by Mr Zhongxu Wang, the Applicant's husband. Mr Harry Williams, a friend of the Applicant, was present for moral support. The Second Named Respondent was present. He appeared on behalf of the First Named Respondent who was not present due to childcare reasons.
7. The Tribunal explained the purpose of the CMD and the powers available to the Tribunal to determine matters.
8. The Applicant's representative confirmed that he wished the order for payment to be made. The arrears are currently £28,250. The last payment was made on 29th June 2026 for £1000. He has not been contacted by the Respondent with regard to a payment agreement to repay the arrears. The Property is a four bedroomed detached house with a study and single garage.
9. The Tribunal noted that there was a submission on 31st August 2026 with a rent account stating that the arrears were at that point £26,500. However, the amount cannot be amended as there was not sufficient notice under Rule 14A which states that there needs to be 14 day's notice. The Tribunal noted that the Applicant could raise a further application if she wishes to seek payment of any of the remaining arrears. This current application is restricted to £20,000.
10. The Respondent said that he was not opposing an order being granted. He does not dispute the outstanding arrears. For the last few months the Respondent has been trying to apply for private tenancies. He has not been successful so far. He has got to a final stage but another person has been chosen for the property. The Tribunal asked if he has contacted the local authority housing department. The Respondent said that he has contacted the local authority housing department but has been told it could take years for him to be allocated a property. The Tribunal asked if he has contacted the local authority homeless department. He said that he has not done that. He lives in the property with his partner and his children who are aged 15 years old, 13 years old and nine years old.
11. The Respondent said that the arrears have arisen due to the fact that he had a business collapse. He has also been waiting for money to come through from HMRC but it has taken far longer than he expected. He is still anticipating a large payout from HMRC. He will pay the arrears once he receives this money.

12. The Respondent said that he did start a new job a few months ago. However, given that this application has been ongoing he has had to save his money so that he could pay for a deposit for a new property. This is why he has not paid the rent or the arrears.
13. The Tribunal was satisfied that the outstanding amount for £20,000 was due to the Applicant by the Respondent and that it was appropriate to grant an order accordingly. The Tribunal noted that the application asked for the judicial rate of interest which is 8% per annum. The Tribunal noted that this is not a contractual rate. The Tribunal decided that 4% per annum was fair, reasonable and proportionate.

Findings and reason for decision

14. The Applicant is the registered owner of the Property.
15. A Private Rented Tenancy Agreement commenced 16th December 2024.
16. The Respondents have persistently failed to pay their rent charge of £2500 per month. The rent payments are due to be paid on the sixth day of each month.
17. The Respondents had been in rent arrears for three or more consecutive months when the notice was served. The rent account has been in arrears since at least October 2025.
18. There are no outstanding Universal Credit Housing Element issues.
19. The Respondents are not opposed to the granting of an order. The arrears are not disputed.
20. The arrears are currently £28,250. The amount sought in the application is the amount that the Tribunal can make an order for, namely £20,000.
21. Appropriate accounting had been provided in respect of the outstanding rent with the application to the Tribunal.

Decision

22. The Tribunal found that the Applicant was entitled to be granted an order for payment amounting to £20,000 with interest at 4% per annum.

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.

Gabrielle Miller

7th September 2026

Legal Member/Chair

Date
