

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/26/1707

Re: Property at 0/1, 4 Bonnyrigg Drive, Glasgow, G43 1HQ (“the Property”)

Parties:

Ms Pauline Jeffrey, 9 Colwood Place, Glasgow, G53 7YB (“the Applicant”)

Mr Dario Lombardo, 0/1, 4 Bonnyrigg Drive, Glasgow, G43 1HQ (“the Respondent”)

Tribunal Members:

Robert MacDonald (Legal Member) and Sandra Brydon (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order is granted against the Respondent for payment of the Sum of Four thousand and sixty pounds (£4060.00) Sterling to the Applicants.

Background

1. By application dated 17th April 2026 the Applicant sought an order under Section 71 of the Private Housing (Tenancies)(Scotland) Act 2016 (“2016 Act”) and rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“The Tribunal Rules”) against the Respondent for payment of rent arrears.
2. On 17th May 2026 the application was accepted by the Tribunal as valid and referred to a Tribunal for determination. A Case Management Discussion was set down to take place on 21st September 2026 by teleconference. The Tribunal gave notice of the Case Management Discussion to the parties in

accordance with Rule 17(2) of the rules. The notice was served on the Respondent by Sheriff Officers on 13th August 2026 by letterbox service.

3. The Tribunal invited the Respondent to make written representations in response to the application no later than 29th August 2026. No written representations were received from the Respondent.

Case Management Discussion

4. The Case Management Discussion took place on 21st September 2026 at 10am. The application called alongside an eviction application in related proceedings. Mr Andrew Devlin Solicitor Complete Clarity Solicitors Glasgow represented the Applicant. The Respondent did not join the call. The Tribunal were satisfied that the Respondent had been given proper notice of the Case Management Discussion. There was no explanation for his absence. He did not attempt to logon to the teleconference during the Case Management Discussion.
5. The Tribunal had documents before it including :-
 - a) Form F
 - b) A copy rent statement showing rental payments.
 - c) A copy of the private residential tenancy agreement between the parties.

The Applicants Submission

6. Mr Devlin invited the Tribunal to grant a Payment Order in the sum of £4060 with interest thereon on at the rate of 8% per annum. He advised the Tribunal that the Respondent had not paid rent since December 2025. As at the date of the Case Management Discussion the rent arrear totalled £7410. Rent was due in the sum of £595 per calendar month. He conceded that the Private Residential Tenancy Agreement did not meet provision for interest in the event of rent being unpaid.
7. The Tribunal adjourned the Case Management Discussion to deliberate outwith the presence of the Applicants agent. After a brief adjournment, the Tribunal resumed the Case Management Discussion and confirmed the outcome

Findings in Fact

8. The Applicant is the owner of the property in terms of a land certificate registered in the Land Register of Scotland under title number GLA61870. She is the landlord, and the Respondent is the tenant of the property in terms of a private residential tenancy agreement which commenced on 27th May 2022.
9. The initial agreed rent was £595 per calendar month.

10. As at the date the Application was submitted to the Tribunal the rent arrear was £4060.
11. As at the date of the Case Management Discussion the sum due by the Respondent was £7410.
12. There was no application to amend the sum claimed.
13. The Private Residential Tenancy Agreement made no provision for interest being payable on arrears of rent.
14. The decision of the Tribunal was unanimous.

Reasons for decision

15. The Tribunal were satisfied that the Respondent was due the sum of £4060 to the Applicant in unpaid rent as at the date of the application and that the said sum was still outstanding as at the date of the Case Management Discussion.
16. There was no contrary evidence before the Tribunal.
17. In the absence of any provision in the Private Residential Tenancy Agreement for payment of interest the Tribunal were not satisfied that interest should be applied to the outstanding debt.

Decision

18. An order for payment against the Respondent in the sum of £4060.

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.

Robert MacDonald

Legal Member/Chair

Date 21 September 2026