



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/26/1522

Re: Property at Flat C, 66 The Green, Aberdeen, AB11 6PE (“the Property”)

Parties:

Mr Ian Clark, 7 Eastfield Steadings, Auchterhouse, Dundee, DD3 0QP (“the Applicant”)

Ms Similoluwa Soremekun, Flat C, 66 The Green, Aberdeen, AB11 6PE (“the Respondent”)

Tribunal Members:

Serena Weir (Legal Member) and Gerard Darroch (Ordinary Member)

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 to the Applicant of the sum of FOUR THOUSAND, THREE HUNDRED AND EIGHTY-TWO POUNDS AND FIFTY-ONE PENCE (£4,382.51) STERLING.

Background

1. This was an application by the Applicant for civil proceedings in relation to a private residential tenancy (“**PRT**”) in terms of rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 as amended (“**the Rules**”), namely an order for payment of rent arrears.
2. The application was lodged with the Tribunal on 06 April 2026. The application as originally lodged sought payment of arrears of £2,900.
3. The application was accompanied by a copy of the tenancy agreement, correspondence to the Respondent in relation to the rent arrears and rent statements.

The Case Management Discussion (“CMD**”)**

4. A case management discussion was held by telephone call on 17 September 2026. Appropriate notification of that was given to parties.
5. Mrs Rachel Macdonell & Miss Hannah Trail of Trinity Factoring Services Limited attended at the CMD on behalf of the Applicant. The Applicant did not attend the CMD.

6. The Respondent did not attend the CMD. No contact had been received by the Tribunal from the Respondent in advance of the CMD.
7. Notice of the CMD had been given to the Respondent by Sheriff Officer. A copy of the certificate of citation was available to the Tribunal. Having not commenced the CMD until around 10:10AM and having considered the terms of Rule 29 of the First Tier Tribunal Housing and Property Chamber (Procedure) Regulations 2017 (the “**Rules**”), the Tribunal determined that the requirements of Rule 17(2) of the Rules had been satisfied, and it was appropriate to proceed with the application in the absence of the Respondent.
8. At the CMD, the Applicant’s representative confirmed that the application for an order for payment of rent arrears was still insisted upon in the amended sum of £4,382.51. The Applicant’s representative had applied by email dated 18 August 2026 to amend the sum sued for to take into account the further unpaid rent which had accrued from the date on which the application was made. Notice of the amended application was sent to the Respondent by letter dated 20 August 2026. The Tribunal was accordingly satisfied that the Respondent had received 14 days’ notice of the application to amend. Accordingly, pursuant to Rule 14A of the Rules, the Tribunal was prepared to allow the amended application to be considered.
9. The updated rent statement which was provided demonstrated that the rent had not been paid in full and on time since January 2026. The Respondent has recently applied for Universal Credit. A payment of £725 was received on 14 July 2026 towards the rent owed. A further payment of £692.49 was received on 14 August 2026 towards the rent owed. As at the date of the CMD, no further payments had been received towards the rent owed from the Respondent.

Findings in Fact

10. The Applicant is the landlord of the Property.
11. The Applicant and the Respondent entered into a tenancy agreement dated 02 September 2025 in terms of which the Applicant let the Property to the Respondent.
12. The tenancy agreement was a Private Residential Tenancy.
13. The rent due in respect of the tenancy agreement was £725 per month payable in advance on the second day of each month.
14. The Respondent had failed to make full and timeous payment of the rent due from January 2026 onwards.
15. The Respondent has accrued rent arrears of £4,382.51. Appropriate accounting had been provided to the Tribunal. These sums remain owed to the Applicant by the Respondent.

Reasons for Decision

16. The application was in terms of rule 111, being an order for civil proceedings in relation to a PRT.
17. The Tribunal gave careful consideration to all of the background papers including the application and supporting documentation and the oral submissions made at the CMD on behalf of the Applicant.
18. The Tribunal had no material before it to advance any arguments on behalf of the Respondent.
19. The Tribunal determined that an order for payment could properly be granted at the CMD pursuant to rule 17(4) of the Rules and that there was no need for an adjournment to a further hearing or further Tribunal procedure.

20. The Tribunal was satisfied, on the basis of the application and supporting papers, that rent arrears of £4,382.51 were due, for the period January 2026 to August 2026 and remained outstanding as of today.

Decision

21. The Tribunal grants an order for payment by the Respondent to the Applicant for the sum of FOUR THOUSAND, THREE HUNDRED AND EIGHTY-TWO POUNDS AND FIFTY-ONE PENCE (£4,382.51).

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.

Serena Weir

17th September 2026

Legal Member/Chair

Date