



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 71(1) of the Private Housing
Tenancies (Scotland) Act 2016**

Chamber Ref: FTS/HPC/CV/26/2363

Re: Property at 23 Sealladh Na Beinne, Fort William, PH33 7FA (“the Property”)

Parties:

Highland Housing Alliance, Castle Heather, Inverness, IV2 6AA (“the Applicant”)

**Mr Christopher Richard William Simpson, Unknown, Unknown (“the
Respondent”)**

Tribunal Members:

Martin McAllister (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined:**

- (i) That the Respondent pay the sum of TWO THOUSAND SEVEN HUNDRED AND NINE POUNDS FIFTY FOUR PENCE (£2709.54) to the Respondent.**
- (ii) That the Respondent pay interest on the outstanding sum due to the Applicant at the rate of 4% from 17 September 2026 until payment.**

Background

- 1. On 26 May 2026 the Applicant’s Representative submitted an application to the First-tier Tribunal for Scotland seeking payment of the sum of £2709.54 in respect of rent arrears.**
- 2. The application was accepted for determination on 10 June 2026.**

3. The address of the Respondent is unknown and the Applicant's Representative submitted an application for service by advertisement. This was granted.

Case Management Discussion

4. A case management discussion was held by teleconference on 17 September 2026.
5. The Respondent was not present and it was noted that a Certificate of Service by Advertisement was available which confirmed that the details of the case management discussion had appeared on the Service by Advertisement page of the website of the Tribunal from 8 August 2026 to 17 September 2026. It was determined that appropriate service had been made on the Respondent.
6. Ms Kelly Campbell, lettings officer of Highland Housing Alliance, the Applicant, was in attendance.
7. The Applicant was represented by Ms Claire Mullen of Messrs TC Young, Solicitors.
8. The Legal Member confirmed the purpose of a case management discussion.
9. Ms Mullen said that there was no further evidence that she had to bring before the Tribunal and submitted that the application could be determined without a hearing.
10. The Tribunal confirmed that there was no requirement for a hearing and a decision could be made based on the documents submitted with the application and the submissions of Ms Mullen.

Submissions

11. Ms Mullen said that some payments to reduce the rent arrears had been made after the tenancy had been terminated. She said that no payments had been made since 16 January 2026 and that the sum of £2709.54 was due.
12. Ms Mullen said that the Respondent had a contractual obligation to pay rent and she submitted that a payment order should be made in respect of the outstanding rent arrears.
13. Ms Mullen submitted that the Tribunal should exercise discretion and make an order requiring the Respondent to pay interest at 8% on the sum of £2709.54 from the date the order for payment is made. She cited Rule

41A (b) of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 in support of her submission.

- 14. Ms Mullan submitted that it would be reasonable for the Respondent to be required to pay interest. She said that the Applicant was entitled to be compensated for the Respondent's failure to pay what was due to it. She said that the requirement to pay interest might encourage the Respondent to be prompt in paying the capital sum.**

Reasons

- 15. The Tribunal had no difficulty in finding that the Respondent was due to pay the arrears of rent due. It relied on the contractual obligation contained within the private residential tenancy agreement and the rent statement submitted by the Applicant.**
- 16. The Tribunal accepted Ms Mullan's submission that interest should be applied to the capital sum due. It considered that 8% was excessive and that 4% would be appropriate. This mirrored market rates.**

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.

Martin McAllister

**Martin J. McAllister
Legal Member
17 September 2026**