

**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/26/1035

Re: Property at 104 Victoria Street, Dyce, Aberdeen, AB21 7AU (“the Property”)

Parties:

Mr David Allen, 48 Overton Circle, Dyce, Aberdeen, AB21 7FS (“the Applicant”)

Mr Barry Lee Craig, 26 Seaview Road, Findochty, Buckie, AB56 4QJ (“the Respondent”)

Tribunal Members:

Julie McKinlay (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the Respondent in the sum of £4589.45.

Background

1. The Applicant seeks a Payment order in the sum of £4589.45 in respect of rent arrears said to have been accrued by the Respondent under a private residential tenancy agreement between the parties.
2. The application dated 4 March 2026 is accompanied by *inter alia* a copy of the tenancy agreement, and a schedule of rent arrears.
3. On 1 April 2026 the application was accepted by the Tribunal and referred for determination by the Tribunal.

4. A Case Management Discussion (CMD) was set to take place on 24 August 2026. Intimation of the application with accompanying papers and intimation of the CMD was made to the Respondent by sheriff officers on 23 July 2026. The Applicant attended the CMD. The Respondent did not. The Tribunal considered that reasonable notice of the hearing had been given in terms of Rule 24 and decided to proceed in the absence of the Respondent.

Case Management Discussion

5. The CMD took place on 24 August 2026 via telephone case conference.
6. The Tribunal heard from the Applicant. The Applicant told the Tribunal that the respondent left the property on 2 February 2026. The Notice to Leave had expired and the Applicant had made an application for eviction to the Tribunal. The Respondent had not paid rent since the Notice to Leave was served on him. Some previous rental payments had been made sporadically. The letting agents on behalf of the Applicant had sent multiple reminders to the Respondent about the arrears of rent without response. Repeated efforts were made to contact the respondent including visiting the Property without successfully making contact with him. He would not answer telephone calls from the agent.
7. The Applicant had had no recent contact with the Respondent. He was believed to have lived alone at the Property. At the start of the tenancy, he was employed but he may have been made redundant at some stage. The Applicant did not know what his current employment status was.
8. The Applicant advised the Tribunal that at the time of the application the Respondent was in arrears in the sum of £4589.45.

Findings in Fact

9. The Applicant is the heritable proprietor of the Property.
10. The Applicant is the landlord and the Respondent the tenant in terms of the Private Residential Tenancy entered into on 31 January 2023.
11. The rent in terms of the lease is £600 payable on the first of every month.
12. The Respondent failed to make payment of rent in full from 1 June 2025 until 2 February 2026 when he vacated the Property. For the period 1 June to 30 June 2025 the Respondent was in arrears in the amount of £350. Thereafter the

Respondent did not pay the rent due in the sum of £600 until the end of the tenancy on 2 February 2026.

13. As at 2 February 2026 the arrears of rent total £4589.45.

Reasons for the Decision

14. The rent payable in terms of the tenancy agreement was £600 per calendar month payable on the 1st day of each month.

15. The Tribunal finds that the Respondent has not paid rent in full from 1 June 2025 until 2 February 2026. The total sum due during that period and unpaid is £4589.45.

Decision

16. Having made the above findings in fact the Tribunal granted the application and made a Payment order in favour of the Applicant against the Respondent in the sum of £4589.45.

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.

Julie McKinlay

Legal Member/Chair

24.08.2026
Date