



**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/26/0420

Re: Property at 72d Cathcart Street, Greenock, Inverclyde, PA15 1DD (“the Property”)

Parties:

Mr Donald McNeil, Miss Helen MacKenzie, 7 Caolis, Vatersay, Isle Of Barra, Western Isles, HS9 5YL (“the Applicant”)

Mr Steven McGougan, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Member: Ms H Forbes (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment should be granted in favour of the Applicant in the sum of £5765.20.

Background

1. This is a Rule 111 application whereby the Applicant is seeking an order for payment in the sum of £5765.20 in respect of rent arrears. The Applicant representative lodged a copy of a private residential tenancy agreement between the parties in respect of the Property, which tenancy commenced on 14th June 2021 at a monthly rent of £395, tenancy deposit correspondence and a rent statement.
2. Notification of the application and Case Management Discussion upon the Respondent by Sheriff Officer at the address provided was unsuccessful. Sheriff Officers carried out a database search without success.
3. Notification upon the Respondent was made by Service by Advertisement on the website of the Housing and Property Chamber from 15th September to 15th October 2026. An email dated 15th September 2026 was also sent to the Respondent at the email address provided, informing them of the Service by Advertisement.

The Case Management Discussion

4. A CMD took place by telephone conference on 15th October 2026. The Applicant was not in attendance and was represented by Mr Bowman, Letting Agent. The Respondent was not in attendance. The start of the CMD was delayed to allow the Respondent to join the call. The Respondent did not join the call.
5. The Tribunal considered the terms of Rule 29. The Tribunal determined that the requirements of Rule 17(2) had been satisfied, and it was appropriate to proceed with the application in the absence of the Respondent.
6. Mr Bowman confirmed the tenancy ended on 10th February 2025. There has been no further contact with or correspondence from the Respondent since that time. The Respondent had paid rent regularly until early 2024, and then stopped making payment. The Applicant served notice to leave upon the Respondent, and the Respondent left the Property. The Property was not left in a good condition by the Respondent. The tenancy deposit was returned to the Applicant and deducted from the rent arrears.

Findings in Fact and Law

7.
 - (i) Parties entered into a private residential tenancy agreement in respect of the Property which commenced on 14th June 2021 at a monthly rent of £395.
 - (ii) The rent was increased to £406.85 in September 2023.
 - (iii) Rent lawfully due has not been paid by the Respondent to the Applicant.
 - (iv) The Applicant is entitled to recover rent lawfully due.

Reasons for Decision

8. Rent lawfully due is outstanding. The Applicant is entitled to recover rent lawfully due.

Decision

9. An order for payment is granted in favour of the Applicant in the sum of £5765.20.

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.

H Forbes

Legal Member/Chair

15th October 2026
Date