

**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/26/1016

**Re: Property at Flat 26, St Peter Square, 22-24 St Peter Square, Aberdeen,
AB24 3HU (“the Property”)**

Parties:

**Apex Corporate Trustees (UK) Limited As Trustee of the Housing Fund for
Scotland, 4th Floor, 140 Aldersgate Street, London, EC1A 4HY (“the
Applicant”)**

**Mr Jakub Wachowski, Flat 26, St Peter Square, 22-24 St Peter Square,
Aberdeen, AB24 3HU (“the Respondent”)**

Tribunal Members:

Alastair Houston (Legal Member) and Ann Moore (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order for payment of £5394.24 be granted in
favour of the Applicant**

1. Background

- 1.1 This is an application under rule 111 of the Chamber rules whereby the Applicant sought an order for payment of in respect of rent apparently unpaid during a private residential tenancy agreement between the parties. The application was accompanied by a copy of the written tenancy agreement and a rent statement. The application was conjoined with an application for an eviction order reference FTS/HPC/EV/26/1013.
- 1.2 The Applicant lodged an application to amend the sum sought on 5 August 2026. This was accompanied by a rent statement. No written representations were received from the Respondent in advance of the Case Management Discussion.

2. The Case Management Discussion

- 2.1 The Case Management Discussion took place on 10 September 2026. The Applicant was represented by Mr Caldwell, solicitor. The Respondent attended personally.
- 2.2 The Applicant's representative confirmed that the sum sought remained outstanding. The current balance had increased to £6244.24 however, an application had not been made to increase the sum sought to this balance
- 2.3 The Respondent confirmed that he accepted the sum sought to be outstanding. Further information was provided by both parties only relevant to the conjoined application for an eviction order.

3. Findings In Fact

- 3.1 The parties entered into a private residential tenancy agreement which commenced on 17 February 2025.
- 3.2 The rent payable under the private residential tenancy agreement is £850.00 per calendar month.
- 3.3 The Respondent has failed to make payment of rent. As at 5 August 2026, the sum due to the Applicant was £5394.24. That sum remains outstanding.

4. Reasons For Decision

- 4.1 The Respondent was under an obligation to make payment of rent as per the tenancy agreement. The Respondent accepted that he had failed to do and the application was effectively unopposed. The Tribunal granted an order for payment in the sum sought by the Applicant.
- 4.2 The Tribunal noted interest was sought at the rate of 4% per annum. Whilst the tenancy agreement did not provide for interest, the Tribunal considered it appropriate to award as sought in terms of rule 41A(2)(b) of the Chamber rules.

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.

A Houston

Legal Member/Chair

Date 17th September 2026