



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/26/1866

Re: Property at 1/2, 27 Melville Street, Glasgow, G41 2JL (“the Property”)

Parties:

Mr Asif Hussain, 45 Melville Street, Glasgow, G41 2JL (“the Applicant”)

Miss Yasmeen Mohammed, 1/2, 27 Melville Street, Glasgow, G41 2JL (“the Respondent”)

Tribunal Members:

Hilary Macandrew (Legal Member) and Helen Barclay (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that a Payment Order be granted against the Respondent for payment to the Applicant of the sum of £16,400 (Sixteen Thousand Four Hundred Pounds)

1) Background

By Application dated 27th April 2026 the Applicant sought an order Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016

- 1.1 The application to the Tribunal was made by Form F and was accepted for determination by the Tribunal on 15th May 2026.
- 1.2 Intimation of the application and of the Initial Case Management Discussion (CMD) was effected upon the Respondent by sheriff officers on 13th August 2026.
- 1.3 The Applicant lodged the following documents in advance of the case management discussion (CMD):-

- Private Residential Tenancy agreement
- Rent Statement and Updated Rent Statement
- Pre Action correspondence

1.4 A Case Management Discussion was set to take place on 1st October 2026. Intimation was given to the Respondent by Sheriff Officers on 13th August 2026.

2) The Case Management Discussion ('CMD')

2.1 The CMD took place by tele conference on 1st October 2026. The start was delayed by eight minutes to allow the Respondent time to take part. The Applicant took part and was also represented by Mr Deen of Apex Property Services (Scotland) Ltd. The Respondent was neither represented nor took part. She had lodged no documentation in advance with the Tribunal.

2.2 Mr Deen sought a Payment Order in the sum of £16,400 being the amount of arrears of rent.

2.3 Mr Deen made reference to the rent statement lodged with the application and updated rent statement lodged in advance of the CMD. When the Notice to Leave was served on 16th March 2026, the arrears were £11,000. When the Application was made the arrears were £11,900. At the time of the CMD the arrears were £16,400. The Respondent was continuing to live at the property. There has been no suggestion that the Applicant is entitled to or in receipt of benefits. Pre Action correspondence had been issued by the Applicant to the Respondent and was lodged with the Application. The Applicant had lodged an updated rent statement which had been crossed over to the Respondent in advance of the CMD showing arrears of £16,400.

2.4 Rule 17 of the First-Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 provides that the Tribunal may do anything at a CMB which it may do at a hearing, including making a decision. The Tribunal was satisfied that it had before it sufficient information and documentation to decide the application without a hearing.

3) Findings in Fact and Law

3.1 The Private Rental Tenancy Agreement commenced on 20th March 2020.

3.2 The initial rent was £700 per month which has increased since June 2023 to £900 per month.

3.3 The Respondent has been continually in arrears since April 2023 and has paid no rent since July 2025.

3.4 The Respondent is in arrears of £16,400.

4) Reasons and Decision

4.1 Rent lawfully due to the Applicant amounting to £16,400 has not been paid by the Respondent.

4.2 The Applicant is entitled to a Payment Order of £16,400

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 Macandrew
Legal Member/Chair**

**1st October 2026
Date**