

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/26/1295

Property : 12 Cairnsmore Drive, Stonehouse ML9 3JZ (“Property”)

Parties:

Kathleen Mary Parkinson, 2 Naismith Court, Stonehouse ML9 3HE and Jan Margaret Bayley, 18 Common Green , Strathaven ML10 6AG as Executors Nominate on the estate of the late Hazel Brooks (“Applicant”)

Bannatyne Kirkwood France & Co, 16 Royal Exchange Square, Glasgow G1 3AG (“Applicant’s Representative”)

George Mathers, 12 Cairnsmore Drive, Stonehouse ML9 3JZ (“Respondent”)

Tribunal Members:

Joan Devine (Legal Member)

Helen Barclay (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £9,375 should be made together with interest thereon at the rate of 4% per annum from 23 September 2026 until payment.

The Applicant sought an order for payment of £9,375 in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement which commenced on 8 August 2022 and a statement of rent arrears. The Application was served on the Respondent by sheriff officer on 12 August 2026. On 10 September 2026 the Applicant’s Representative lodged an updated statement of rent arrears which showed arrears of £9,375.

Case Management Discussion (“CMD”)

A CMD took place before the Tribunal on 23 September 2026 by teleconference. Applicant was represented by Alexandra Wooley of the Applicant’s Representative. The Respondent was not in attendance. Ms Wooley told the Tribunal that communications from the Respondent had been poor throughout the tenancy. The Respondent had not provided an explanation for the failure to pay the rent in the period

October 2024 to January 2026. Ms Wooley told the Tribunal that the Applicant understood that the Respondent was in employment at the start of the tenancy but they do not know the current position.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent entered into a Tenancy Agreement which commenced on 8 August 2022.
2. In terms of the Tenancy Agreement rent was due at the rate of £625 per month.
3. The Respondent failed to pay the rent in full for the period 8 October 2024 to 8 January 2026. The unpaid amount was £9,375.

Reasons for the Decision

The Tribunal then determined to make an Order for payment. The Respondent failed to pay the rent in full for the period 8 October 2024 to 8 January 2026. The unpaid amount was £9,375. The Tribunal considered it reasonable to award interest at the rate of 4% per annum.

Decision

The Tribunal grants an order for payment of £9,375 together with interest thereon at the rate of 4% per annum from 23 September 2026 until payment.

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.

Joan Devine

Legal Member

Date : 23 September 2026