

**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 51 of the Private Residential  
(Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/26/0218**

**Re: Property at 21 Flat C, Bon Accord Street, Aberdeen, AB11 6EA (“the  
Property”)**

**Parties:**

**Hamilton Residential Limited, Unit 2, The Galleria, Bonn Accord Street,  
Aberdeen, AB11 6FB (“the Applicant”)**

**Mr Joshua Owen Crofts, 21 Flat C, Bon Accord Street, Aberdeen, AB11 6EA  
 (“the Respondent”)**

**Tribunal Members:**

**Lauren Rae (Legal Member) and Sandra Brydon (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order should be granted for payment by the  
Respondent to the Applicant in the sum of FIVE THOUSAND ONE-HUNDRED  
POUNDS (£5,100) STERLING**

1. By application dated 15 January 2026, the Applicant sought an order for payment in the sum of £4,450 in terms of section 71 of the Private Residential (Tenancies) (Scotland) Act 2016 (“2016 Act”) and Rule 111 of the First-tier for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“2017 Rules”).
2. The application was accompanied by:
  - Copy Private residential tenancy agreement between the parties dated 29 January 2025
  - Copy rent statements
  - Emails between the Applicant’s letting agent and the Respondent regarding the build up of arrears.

3. Prior to the application being accepted for determination, the Applicant lodged an updated rent statement and sought to increase the sum claimed to £5,100.
4. The application was accepted for determination on 12 May 2026.
5. The application was conjoined with an application for eviction (FTS/HPC/EV/26/1220). A conjoined case management discussion (CMD) was fixed for 8 October 2026 at 2pm. Both parties were notified of the date and time of the CMD. Sheriff Officers served both sets of papers on the Respondent on 12 August 2026 and the certificate of service was lodged in process.

### **The CMD**

6. The CMD took place on 8 October 2026 at 2pm via telephone conference. The Applicant was represented by Ms Dawn Newall, letting agent. Ms Newall was accompanied by Mr Tom Sutherland, director of the Applicant. There was no appearance by or on behalf of the Respondent.
7. Ms Newall advised the Tribunal that as at the date of the CMD, the arrears had risen to £9,650. The Respondent had not made any payments towards the ongoing rent or to address the arrears. The last payment from the Respondent was 30 September 2025. Ms Newall advised that numerous attempts had been made to try to address the arrears which included the Respondent offering a payment plan of £50 per month, which was not adhered to.
8. Under questioning by the tribunal, Ms Newall advised that she did not know much information about the Respondent's personal circumstances. She advised that the Respondent had a daughter, whose age was unknown, and she believed he exercised occasional contact with her. At the commencement of the tenancy, the Respondent was believed to be in employment but was now believed to be unemployed.

### **Findings in Fact**

9. The Applicant and Respondent entered into a private residential tenancy agreement which commenced on the 31 January 2025.
10. The agreed monthly rent was £650.
11. As at the date of the application (as amended), the Respondent was in arrears of rent in the sum of £5,100, being the sum sought. Reference is made to the rent statement lodged in process as at 12 March 2026.
12. As at the CMD, the Respondent was in arrears of rent totalling £9,650.
13. The last payment of rent made by the Respondent was 30 September 2025.

14. The Applicant tried to engage with the Respondent to address the arrears without success.

### **Reasons for Decision**

15. The application for rent arrears was undefended.

16. The tribunal was satisfied that the Respondent had been served the case papers and had adequate notice of the date and time of the CMD.

17. The tribunal was satisfied that rent was lawfully due to the Applicant by the Respondent in the sum of £5,100.

### **Decision**

**The tribunal granted an order for payment of the sum of FIVE THOUSAND ONE-HUNDRED POUNDS (£5,100) STERLING by the Respondent to the Applicant is granted.**

### **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.**

# Lauren Rae

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**Legal Member/Chair**

**8 October 2026**  
**Date**