Housing and Property Chamber
First-tier Tribunal for Scotland

**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014**

**Chamber Ref: FTS/HPC/CV/26/2110**

**Re: Property at 7 Park Avenue, Beith, North Ayrshire, KA15 2AL ("the Property")**

**Parties:**

**Easton Property Residential Limited, 2 Newfield Drive, Dundonald, South Ayrshire, KA2 9EW ("the Applicant")**

**Mr Duncan Everett, Ms June Armour, 7 Park Avenue, Beith, North Ayrshire, KA15 2AL ("the Respondents")**

**Tribunal Members:**

**Hilary Macandrew (Legal Member) and Gerard Darroch (Ordinary Member)**

**Decision in absence of the Respondents**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") issued an order for payment in the sum of Twelve Thousand Six Hundred and Sixty-Three Pounds and Forty-Five Pence (£12,663.45)**

## 1) Background

1.1 The Applicant is seeking a Civil Order in respect of unpaid rent in an amended figure of £12,663.45 being the arrears of rent due to be paid by the Respondents to the Applicant as at the date of the Tribunal. An application was also made by the Applicants under chamber reference FTS/HPC/EV/26/2109 seeking Eviction. The two applications were heard together.

1.1

1.2 The tenancy commenced on 8th July 2016. The rent was initially £430 per month and increased during the course of the tenancy to £500 per month since 8th April 2025.

1.3 The Applicant had lodged Form F and other documents comprising;

- Short Assured Tenancy Agreement,

- Rent statement
- Updated Rent Statement with Request for amendment of the sum claimed.

1.4 The Application and intimation of the Case Management Discussion was served on the Respondent by Sheriff Officers on 21st August 2026.

1.5 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 CMD 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.

## 2) The Case Management Discussion (CMD)

2.1 A Case Management Discussion took place on 29th October 2026. The Applicants was represented by their Property Manager Ms Barclay. The start of the Tribunal was delayed for five minutes to enable the Respondent to take part. They neither took part nor were represented.

2.2 Ms Barclay sought a Payment Order in the amended sum of £12,663.45. The amendment had been sought in advance of the CMD and crossed to the Respondents. She took the Tribunal through the rent statement and updated statement. She explained that the Respondents were not engaging. A payment plan had been offered but not taken up. The Respondents may receive benefits but an application to Universal Credit for direct payment of rent was rejected. The updated rent statement disclosed continuous rent arrears since 8th January 2019.

## 3) The Decision and Reasons

3.1 The Tribunal granted the amendment of the sum sought and made an order in the sum of £12,663.45.

3.2 The Tribunal was satisfied from the vouching provided at the CMD that the sum claimed was due. The Applicant is entitled to rent lawfully due.

## 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.**

Hilary MacAndrew

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| **H Macandrew** | **29th October 2026** |
| **Legal Member/Chair** | **Date** |