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 71 of the Private Housing (Tenancies)(Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/26/2354

Re: Property at Flat 1/3 13 Maxwellton Street, Paisley, PA1 2TZ ("the Property")

Parties:

Mr Robert McCulloch, 28 Fulbar Crescent, Paisley, PA2 9AS ("the Applicant")

Mr Declan Kerr, 13 Arran Avenue, Livingston, EH54 8FF ("the Respondent")

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that an order for payment should be made.

Background

1. On 25th May 2026 the Applicant lodged an application under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 ("the Rules") seeking payment of a sum of £1198.94 being rent arrears and costs of furniture removal and tracing costs.

2. Lodged with the Application were:

a. Copy Private Residential Tenancy commencing 17th October 2025 and showing a rent of £725 per month
b. Rent Statement showing arrears of £968.94 as at April 2026
c. Invoice from Renfrewshire Deliveries Limited dated 7th April 2026 in the amount of £150 in relation to clearing furniture
d. Invoice from Stirling Park dated 21st May 2026 in the amount of £80 plus VAT for tracing services

3. The Application was served on the Respondent by Sheriff Officer on 12th August 2026.

Case Management Discussion

4. The Case Management Discussion ("CMD") took place on 20th October 2026 by teleconference. The Applicant represented himself. The Respondent did not attend and was not represented.

5. The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.

6. The Applicant asked that an order be granted for payment, in the amount of £1198.94, being the sum of £968.94 for rent arrears, £150 for removing the Respondent's furniture from the property and £80 for tracing fees.

Findings in Fact

i. The parties entered in to a tenancy agreement for rent of the property;
ii. The monthly rent was £725;
iii. At the end of the tenancy the rent arrears owed were £968.94;
iv. The Applcint had to pay £150 to have the Respondent's furniture removed;
v. The Applicant incurred tracing fees of £80.

Reasons for Decision

The Respondent owes the Applicant £1198.94.

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.

20.10.26

Alison Kelly

Legal Member/Chair **Date**