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/26/2073

Re: Property at 21 Kilbowie Road, Cumbernauld, G67 2PZ ("the Property")

Parties:

Mr Andrew Hunter, 2a Westmount Park, Newtonards, Co Down, BT23 4BP ("the Applicant")

Ms Marie Steel, Mr Paul White, 21 Kilbowie Road, Cumbernauld, G67 2PZ ("the Respondents")

Tribunal Members:

Nairn Young (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondents in terms of their short assured tenancy agreement with the Applicant. It called for a case management discussion ('CMD') at 10am on 4 November 2026, by teleconference. The Applicant was represented on the call by Mr John MacAuley. The Respondents were not on the call and were not represented. The commencement of the CMD was delayed by 10 minutes, in case of any technical difficulty; but there remained no contact from them.

Notice of the application and the CMD was served on the Respondents separately on 2 and 7 September 2026, by sheriff officers. The Tribunal therefore concluded that, by choosing not to appear, they were not opposing the application.

- Findings in Fact

The following facts from the application were relied on by the Tribunal, as unopposed:

1. The Respondents entered into a short assured tenancy agreement with the Applicant in respect of the Property, with an initial term of 25 November 2013 to 24 May 2024, inclusive.

2. In terms of that agreement, rent of £500 was due every month.

3. The tenancy has run on on a monthly basis in terms of the agreement, neither party having given notice to terminate.

4. As at 25 October 2025, the Respondents owed £3,740 in rent, which is the sum this application is concerned with.

5. No payment has been made by the Respondents towards those arrears since.

- Reasons for Decision

The Respondents owe the sum sought in the application to the Applicant. An order for payment of that amount should therefore be made. There was an application for interest of 7.75% p/a to be applied to this sum; but, there having been no rate of interest specified in the application, the Tribunal did not feel fair notice had been given to the Respondents of this. The Applicant’s representative confirmed that he was happy not to insist on this element of the claim.

- Decision

Order made for payment by the Respondents to the Applicant of the sum of THREE THOUSAND SEVEN HUNDRED AND FORTY POUNDS STERLING (£3,740).

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.

Nairn Young

4 November 2026

Legal Member/Chair **Date**