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 ("the 2016 Act")

Chamber Ref: FTS/HPC/CV/26/2224

Re: Property at 151 Kirkhill Road, Aberdeen, AB11 8FS ("the Property")

Parties:

Mr Gregory Mejias, 22 Quail Street, Oldham, OL4 5HD ("the Applicant")

Miss Ellie Wallace, Mr Robert Clark, 174B South College Street, Aberdeen, AB11 6LD ("the Respondent(s)")

Tribunal Members:

Craig Chisholm (Legal Member)

Decision (in absence of the Applicant)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the case should be dismissed.

Background

1. By application dated 18 May 2026, the Applicant sought an order in terms of rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 ("the Procedure Rules").

2. On 4 June 2026 the application was accepted by the Tribunal and referred for determination by the Tribunal.

3. A Case Management Discussion (CMD) was set to take place on 13 November 2026, and appropriate intimation of that hearing was given to all parties.

The Case Management Discussion

4. The CMD took place on 13 November 2026 *via* telephone conference call. The Applicant was not present or represented. The Respondent(s) were personally present or represented.

5. The Tribunal explained the purpose of the CMD and the powers available to the Tribunal to determine matters.

6. The Tribunal asked various questions of the Respondent(s) regarding the application.

7. The Respondent(s) confirmed they were opposed to any payment order being made having vacated the Property on 31 October 2025.

Findings in Fact

8. The Applicant is the registered owner of the Property.

9. The Applicant and the Respondent were respectively the landlord and tenant under a Private Residential Tenancy Agreement in terms of the 2016 Act for the Property, commencing on 26 July 2024, which ceased on 31 October 2025.

10. The initial agreed monthly rental was £695 per month.

11. The Respondent(s) had not lived in the Property since 31 October 2025. They moved into a new private let on that date.

12. No arrears were due or outstanding.

Reason for Decision

13. The Tribunal accepted the unchallenged evidence of the Respondent(s) regarding when the tenancy ceased and in respect of the arrears position.

14. The Tribunal exercised the power within rule 17 of the Procedure Rules and determined that the case should be dismissed at the CMD.

Decision

15. The Tribunal dismissed the case against the Respondent(s).

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.

Craig Chisholm

13 November 2026

Legal Member/Chair **Date**