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/25/4625

Re: Property at 6 Ellerslie Crescent, Yoker, G14 0NY ("the Property")

Parties:

Mrs Samina Matloob, Mr Muhammad Matloob, 3 Bernisdale Gardens, Glasgow, G15 8BU ("the Applicants")

Ms Demi McGrotty, Mrs Elizabeth Connelly, 6 Ellerslie Crescent, Yoker, G14 0NY; 6 Ellerslie Crescent, Yoker, G14 0NY ("the Respondents")

Tribunal Member:

Ms H Forbes (Legal Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that an order for payment should be granted in favour of the Applicant in the sum of £24,025

Background

1. This is a Rule 111 application whereby the Applicants were seeking an order for payment in the sum of £21,380 in respect of rent arrears. The Applicants lodged a copy of a private residential tenancy agreement between the parties that commenced on 27th September 2022 at a monthly rent of £990, bank statements and a rent statement.

2. At a Case Management Discussion ("CMD") on 7th January 2026, the Respondents indicated a defence of withholding rent in respect of repairs to the Property, stating that they had retained £16,000 to £17,000 in a bank account. The application was continued to a further CMD to allow parties to provide documentary evidence.

3. A Direction was issued to parties on 16th January 2026 ordering further information and documentation to be lodged no later than 21 days before the next CMD.

4. By email dated 6th March 2026, the Applicants complied with the Direction. The Respondents did not lodge a response to the Direction.

5. By letter dated 2nd April 2026, the parties were notified of a CMD to take place on 13th May 2026.

6. A CMD took place by telephone conference on 13th May 2026. The Applicants were in attendance and supported by their daughter. The Respondents were not in attendance. The Applicants confirmed that the Respondents were evicted from the Property on 16th February 2026. The CMD could not proceed as notification of the CMD had not been made upon the Respondents. The Applicants confirmed the outstanding arrears at the end of the tenancy as £24,025, as evidenced by the rent statement included with the Direction response. The application was continued to a further CMD.

7. By email dated 1st September 2026, the Applicants provided an address for the Respondents.

8. Notification of a CMD to take place on 27th October 2026 was made upon the Respondents by Recorded Delivery post on 11th September 2026.

The Case Management Discussion

9. A Case Management Discussion ("CMD") took place by telephone conference on 27th October 2026. Mr Matloob was in attendance and representing Mrs Matloob. Mr Matloob was supported by his daughter.

10. The Tribunal considered the terms of Rule 29. The Tribunal determined that the requirements of Rule 17(2) had been satisfied, and it was appropriate to proceed with the application in the absence of the Respondents.

11. Mr Matloob confirmed that there had been no further correspondence from or contact with the Respondents. Mr Matloob said he was seeking an order for payment in the sum of £24025.

Findings in Fact and Law

12.

(i) Parties entered into a private residential tenancy agreement in respect of the Property which commenced on 27th September 2022 at a monthly rent of £990.

(ii) Rent lawfully due has not been paid by the Respondents to the Applicants.

(iii) The Applicants are entitled to recover rent lawfully due.

Reasons for Decision

13. Rent lawfully due is outstanding. Despite being given an opportunity to submit a note of defence, the Respondents failed to do so. The Applicants are entitled to recover rent lawfully due.

Decision

14. An order for payment is granted in favour of the Applicants in the sum of £24025

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.

Helen Forbes

Legal Member/Chair

27th October 2026
Date