



**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/24/4597

Re: Property at 14 Eassie Terrace, Dundee, DD2 2EJ (“the Property”)

Parties:

Mr Philip Mulholland, 19 Osprey Road, Dundee, DD2 5GA (“the Applicant”)

**Miss Nichola Carroll and Mr Ryan Mulholland, both 14 Eassie Terrace, Dundee,
DD2 2EJ (“the Respondent”)**

Tribunal Members:

George Clark (Legal Member) and Gerard Darroch (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that it could decide the application without a Hearing and made an Order for Payment by the Respondents to the Applicant of the sum of £4,700.

Background

1. By application dated 3 October 2024, the Applicant sought an Order for Payment of unpaid rent that had become lawfully due by the Respondents to the Applicant. The sum sought was £4,820.
2. The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties, which commenced on 1 November 2023 at a rent of £750 per month, and a Rent Statement showing arrears of £4,820 as at 1 October 2024.
3. At a Case Management Discussion held on 13 May 2025, the Respondents advised the Tribunal that they wished time to obtain legal advice and, as

some of the facts were disputed, the Tribunal decided to hold a full evidential Hearing and issued Directions to the Parties.

4. On 8 October 2025, the Applicant's solicitors provided an updated Rent Statement dated 1 October 2025 and sought leave to amend the amount sought to this lower sum.
5. Shortly before the Hearing date, scheduled for 9 October 2025, the Tribunal was advised that the Applicants would be in Cyprus on that date and would be giving evidence by telephone link from there. There is, however, no agreement between the UK and Cyprus Governments permitting anyone in Cyprus from voluntarily giving evidence by video or telephone link to a Court or Tribunal in the UK. This information was communicated to the Applicants' solicitors.
6. The Hearing commenced on the morning of 9 October 2025. The Applicants were represented by Miss Rosie Seaward of Ennova Law, Dundee. Both Respondents were present.
7. The Applicants' solicitor asked that the Hearing be postponed, as the Applicants would not be able to give evidence from Cyprus. The Respondents, however, stated that they were not opposing the application and fully intended to repay the arrears over time.
8. The Tribunal decided to convert the Hearing into a Case Management Discussion.

Reasons for Decision

9. 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 Case Management Discussion 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.
10. The Tribunal was satisfied that the sum sought, as amended to £4,700. had become lawfully due by the Respondents to the Applicant.
11. The Tribunal's decision was unanimous.

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.

George Clark

Legal Member/Chair

9 October 2025
Date