



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Chamber Ref: FTS/HPC/CV/25/0990

Property: G16 Tarbolton Road, Cumbernauld, Glasgow, G67 2AH

Parties:

Mrs Pamela Fryer, residing at 22 Rough Rew, Dorking, Surrey, RH4 2NZ
("the Applicant")

Dylan Gorman residing at G16 Tarbolton Road, Cumbernauld, Glasgow, G67 2AH
(First Respondent)

And

Suzannah McGinlay residing at 10 Netherwood Avenue, Cumbernauld, North
Lanarkshire, G68 9LG (Second Respondent)

Tribunal Members:

Paul Doyle (Legal Member)
Gordon Laurie (Ordinary 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. The Applicant sought an order for payment of rental arrears totalling £2,100.00. The Applicant had lodged with the Tribunal Form F. The documents produced included a Tenancy Agreement dated 20 January 2022 and a schedule of unpaid rental.

Case Management Discussion

2. A Case Management Discussion took place before the Tribunal by telephone conference at 10.00am on 04/11/2025. The Applicant was represented by Ms Woolley of Bannatyne Kirkwood France & Co, solicitors. Neither Respondent was present nor were they represented.

Findings in Fact

3. The Tribunal made the following findings in fact:

(a) The Applicant and the First Respondent entered into a Tenancy Agreement for the Property on 20/01/2022. In terms of clause 7 of the tenancy agreement the First Respondent agreed to pay rental at the rate of £450.00 per month.

(b) The First Respondent allowed rent arrears to accumulate. When the application was submitted there were rent arrears of £2,100.00. Today, the rent arrears total £3,900.00.

(c) On 23/01/2025 the Applicants served a notice to leave on the Respondents in terms of s.50 of the Private Housing (Tenancies) (Scotland) Act 2016. On 05/03/2025 the Applicant submitted this application to the tribunal.

(d) At the date of application there were more than four months arrears of rental. At today's date the rental is 8.5 months in arrears.

(e) The Second Respondent guaranteed the First Respondent's obligations under the lease on 20/01/2022. The Applicant's solicitors have written to both Respondents seeking payment of the arrears of rental but have received no response.

(f) On 30 October 2025, the Applicant lodged a written application to amend the sum claimed by increasing the sum applied for from £2,100.00 to £3,900.00. That application is unopposed.

(g) The sum applied for is increased to £3,900.00 to properly reflect the amount the Respondents owe the Applicant in arrears of rental.

Reasons for Decision

4. Rent is lawfully due in terms of clause 8 of the Tenancy Agreement at the rate of £450.00 per month. Since April 2024 there have been arrears of rental.

5. At the date the application was submitted there were arrears of rent totalling £2,100.00. Today the sums due to the Applicant in arrears of rental total £3,900.00.

6. The Respondents offer no resistance to the application for a payment order. The Respondents owe the applicant £3,900.00.

7. For these reasons the Tribunal determined to make an Order for payment.

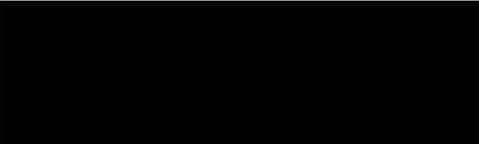
Decision

The Tribunal determined to make an Order for payment.

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.

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.


Legal Member

Date 4 November 2025