

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 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 “The Act”

Chamber Ref: FTS/HPC/CV/26/1052

Re: Property at 143 Tweed Crescent, Dundee, DD2 4DL (“the Property”)

Parties:

Mr Venkat Sasi Kiran Attili, Mrs Sireesha Attili, 3 Clos Ddyfan, Cardiff, CF3 0LX (“the Applicant”)

Mr Joshua Craig, 143 Tweed Crescent, Dundee, DD2 4DL (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Elaine Munroe (Ordinary Member)

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made a Payment Order in favour of the Applicants against the Respondent in the sum of £7,666.60.

Background

[2] The Applicants seek a Payment Order for rent arrears said to be lawfully due by the Respondent to the Applicants under a tenancy between the parties. The Application is accompanied by a copy of the relevant tenancy agreement and rent statements.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (“CMD”) by conference call at 10 am on 7 August 2026. The Applicants were represented by their letting agent, Ms Wheelan. The Respondent was personally present.

[4] Ms Wheelan had submitted representations in advance of the CMD stating that the rent arrears had now increased to the sum of £7,666.60. The Respondent accepted that these sums were probably accurate although he stated that he was not exactly sure how much he owed. The Tribunal discussed the background with the Respondent. He advised that he lived alone and was unemployed. His daughter stayed with him three nights a week. He had no physical health issues and suffered from depression. He was however actively seeking work. The Respondent explained that the reason he had accrued such rent arrears and stopped paying rent completely since October 2025 (in his assessment which was challenged by the Applicant) was because he had issues with his shower being operational. The Respondent was somewhat vague about the issues with the shower. He also readily admitted he had not kept the rent money aside. He had also been receiving a contribution to his housing costs in his state benefits and he freely admitted he had used these for other purposes. He also accepted that he had broader financial problems and would have accrued rent arrears anyway.

[5] Ms Wheelan for her part suggested that rent had not actually been paid since July 2025 and there was very little documentary evidence of a problem with the shower. In actual fact there was an electrical report from April 2026 which indicated some works had been carried out on the shower and that it was deemed to be operational.

[6] Having heard from the parties and considered the whole facts and circumstances of the case, the Tribunal made the following findings in fact.

Findings in Fact

1. *The Applicants let the Property to the Respondent by virtue of a Private Residential tenancy within the meaning of the Act;*
2. *The Respondent fell into rent arrears and has not paid any rent since July 2025;*
3. *At today’s date the sum of £7,666.60 is lawfully due as rent arrears by the Respondent to the Applicant;*

Reasons for Decision

[7] Having made the above findings in fact, the Tribunal considered that the sum claimed on £7,660.60 was lawfully due as arrears of rent by the Respondent to the Applicants but remained unpaid.

[8] The Tribunal could not conclude that there could be any credible suggestion that even if there was an issue with the shower, it might justify the complete non-payment of rent for a calendar year. The Respondent's position was vague and lacking in detail.

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.

A McLaughlin

Legal Member/Chair

7 August 2026
Date