

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 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/26/0380

Property: 16 Polvanie View, Inverness IV3 8SU ("Property")

Parties:

HHA2 LLP, Fairways, Castle Heather, Inverness IV2 6AA ("Applicant")

**TC Young, Solicitors, 7 West George Street, Glasgow G2 1BA ("Applicant's
Representative")**

James McMillan, 16 Polvanie View, Inverness IV3 8SU ("Respondent")

Tribunal Members:

Joan Devine (Legal Member)

Gerard Darroch (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber)
("Tribunal") determined that an order for payment of £11,703.33 should be made
together with interest thereon at the rate of 5% per annum.**

The Applicant sought an order for payment of £7,436.54 plus interest in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement which commenced on 15 September 2015, a statement of rent arrears and copy rent increase notices. The Application was served on the Respondent by sheriff officer on 2 July 2026. On 9 July 2026 the Applicant's Representative lodged an updated statement of arrears which indicated rent arrears of £11,703.33

Case Management Discussion ("CMD")

A CMD took place before the Tribunal on 5 August 2026 by teleconference. The Applicant was represented by Simone Callaghan of the Applicant's Representative. Kelly Campbell and Gail Matheson of the Applicant were in attendance. The Respondent was not in attendance.

Ms Callaghan told the Tribunal that there had been no contact with the Respondent since November 2025. She said that attempts to communicate since then had received no response. She said that in November 2025 the Respondent had indicated he was

in employment and would look for alternative accommodation. She said that the Respondent is aged around 33 and lives in the Property alone. She said that the arrears are now £11,703.33. She said that the last payment towards rent had been £195 on 4 April 2025.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent entered into a Tenancy Agreement which commenced on 15 September 2015.
2. In terms of the Tenancy agreement the rent was £448.71 per month.
3. The rent was increased to £506.77 in 2020.
4. The rent was increased to £534.14 with effect from 1 April 2022.
5. The rent was increased to £550.16 with effect from 1 July 2023.
6. The rent was increased to £578.77 with effect from 1 July 2024.
7. The rent was increased to £605.39 with effect from 1 July 2025.
8. The Respondent failed to pay the rent in full for the period 1 June 2024 to 1 July 2026. The unpaid amount was £11,703.33.

Reasons for the Decision

The Tribunal allowed the sum claimed to be amended to £11,703.33. The Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £448.71 per month. The rent had been increased in 2020 and then annually since 2022. The Respondent failed to pay the rent in full for the period 1 June 2024 to 1 July 2026. The unpaid amount was £11,703.33. The Tribunal considered it reasonable to award interest at the rate of 5% per annum.

Decision

The Tribunal grants an order for payment of £11,703.33 plus interest at the rate of 5% per annum

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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.

**Joan Devine
Legal Member**

Date : 5 August 2026