

**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**

Chamber Ref: FTS/HPC/CV/26/0576

**Re: Property at 67A Main Street, Holytown, Motherwell, ML1 4TJ (“the
Property”)**

Parties:

**Mrs Mary Cunningham, Mr Tom McKellar, Achadun Cottage, Cairndow, PA26
8BJ (“the Applicant”)**

**Ms Julie Anderson, 67A Main Street, Holytown, Motherwell, ML1 4TJ (“the
Respondent”)**

Tribunal Members:

Alastair Houston (Legal Member) and Jane Heppenstall (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 of £10926.45 be made in
favour of the Applicant**

1. Background

- 1.1 This is an application under rule 111 of the Chamber rules whereby the Applicant sought an order for payment of rent which had gone unpaid during the course of a private residential tenancy agreement. The application was accompanied by copies of the tenancy agreement between the parties and a statement of the rent account. The application was conjoined with application FTS/HPC/EV/26/0573, being an application for an eviction order.
- 1.2 No written representations were received from the Respondent prior to the Case Management Discussion. By way of email dated 5 August 2026, the Applicant applied to amend the sum sought and provided and up to date rent statement.

2. The Case Management Discussion

- 2.1 The Case Management Discussion took place on 28 August 2026 by teleconference. The Applicant was represented by Ms Callaghan of TC Young solicitors. The Respondent was neither present nor represented.
- 2.2 The Applicant's representative confirmed the application was insisted upon. The Tribunal noted that intimation of the application and Case Management Discussion had been made by Sheriff Officers and considered it appropriate to proceed in the Respondent's absence as permitted by rule 29 of the Chamber rules.
- 2.3 The Applicant's representative confirmed that the arrears owed by the Respondent were £10926.45 as per the up to date statement. An order for payment of that sum together with interest at the rate of 8% was sought in terms of rule 41A(2)(b) of the Chamber rules.
- 2.4 The Tribunal indicated the order sought would be granted.

3. Reasons For Decision

- 3.1 The tenancy agreement imposed an obligation upon the Respondent to pay rent of £550.00 per calendar month. The rent statement clearly detailed the balance due. In the absence of any representations by the Respondent as to why that sum was not lawfully due, the Tribunal granted an order for payment.
- 3.2 The Tribunal noted the level of interest sought was 8%, being the judicial rate awarded in the Courts. Given the lack of opposition and that such interest was only payable from the date of the decision, interest was awarded as sought.

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.

Alastair Houston

Legal Member/Chair

28 August 2026
Date