



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 71 of the Private Housing
(Tenancies) (Scotland) Act 2016**

Chamber Ref: FTS/HPC/CV/26/1144

**Re: Property at Sycamore Studio Annexe, Cordon, Isle of Arran, KA27 8NQ (“the
Property”)**

Parties:

**Mrs Jane Howe, Alastair Howe Howe, Driftwood, Kildonan, Isle of Arran, KA27
8SE (“the Applicants”)**

**Ms Alyssa Berry, 7 Benlister Road, Lamlash, Isle of Arran, KA27 8LW (“the
Respondent”)**

Tribunal Members:

Robert MacDonald (Legal Member)

Decision (in absence of the Respondents)

- 1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order is granted against the Respondent for
payment of the Sum of Five hundred and sixty pounds Sterling to the
Applicants.**

Background

- 2. By application dated 10th March 2026 the Applicant sought an order under
Section 71 of the Private Housing (Tenancies)(Scotland) Act 2016 (“2016 Act”)
and rule 111 of the First-tier Tribunal for Scotland Housing and Property
Chamber (Procedure) Regulations 2017 (“The Tribunal Rules”) against the
Respondents for payment of rent arrears.**
- 3. On 22nd May 2026 the application was accepted by the Tribunal and referred
for determination by the Tribunal.**

4. A Case Management Discussion was scheduled for 16th September 2026. The Tribunal gave notice of the Case Management Discussion to the parties in accordance with Rule 17(2) of the Rules by letter dated 6th August 2026. Intimation was made on the Respondent by sheriff officers who served this on her on 17th August 2026 by letterbox service at her home address.
5. The Respondent was invited to make any written representations to the Tribunal in respect of this application by 29th August 2026. No written representations were made by the Respondent.

Case Management Discussion

6. The Case Management Discussion was scheduled to take place on 16th September 2026 at 14:00 AM. The Tribunal was delayed because of other business and convened 3:00 PM. The Applicants and the Respondent were all personally present by teleconference.
7. The Tribunal had the following documents before it:-
 - a) Form F
 - b) A copy bank statement showing rental payments.
 - c) A copy of the private residential tenancy agreement between the parties dated 30th December 2022.
 - d) Copy correspondence between the parties.

The Applicants Submission

8. Mrs Howie invited the Tribunal to grant a Payment Order in the sum of £520. She advised the Tribunal that the Respondent had not paid her last two months' rent prior to vacating the premises. Rent was unpaid for the months commencing 30th October 2025 and 30th November 2025. Rent was due in the sum of £420 per calendar month. A total of £840 had been unpaid. The tenancy deposit of £280 had been paid to the Applicants leaving a balance due of £560.

The Respondents Submission

9. The Respondent advised the Tribunal that she had been unable to pay the rent because of financial difficulties. She accepted that the sum of £840 had been unpaid and she noted that £280 had been paid to the Applicants from her tenancy deposit. She accepted that the balance of £560 was outstanding and due to the Applicants. Her current financial situation was precarious, and she was not in a position to put forward an offer in settlement on an instalment basis.

Findings in Fact

10. The Applicants are the owners of the property registered in the Land Register of Scotland under title number BUT3915.

11. The Applicants and the Respondent entered into a Private Residential Tenancy agreement in respect of the property which commenced on 23rd October 2023 in terms of which the Applicants were the landlords and the Respondent was the tenant.
12. The initial agreed rent was £280 per calendar month.
13. The rent was increased by the Applicants in May 2025 to £420 per calendar month.
14. Rent was due and payable on the 30th of each month for the following month.
15. The Respondent did not pay the rent due on 30th October 2025 or 30th November 2025.
16. By 30th December 2025 the Respondent was in arrears of rent in the sum of £840.
17. The Respondent had left the property by 30th December 2025.
18. The Respondent had paid a tenancy deposit of £280 at the commencement of the tenancy.
19. The tenancy deposit of £280 was paid to the Applicants to reduce the Respondents rent arrears.
20. As at the date the application was submitted to the Tribunal the sum due by the Respondent was £560.
21. As at the date of the Case Management Discussion the sum due by the Respondent was £560.
22. The Respondent confirmed that the sum of £560 was outstanding.
23. No application was made by the Applicants for interest on the sum due.

Decision

24. An order for payment against the Respondent in the sum of £560.

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.

Robert Macdonald

16.9.2026

Legal Member/Chair