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

Chamber Ref: FTS/HPC/CV/25/3918

Re: Property at Flat 3/2 6 Muirpark Street, Glasgow, G11 5NH ("the Property")

Parties:

Mr George Marshall Hanlon, 2 Finglen Gardens, Milngavie, G62 7RW ("the Applicant")

Mr James Stephen Barley, UNKNOWN, UNKNOWN ("the Respondent")

Tribunal Members:

Mary-Claire Kelly (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined to grant an order for payment in the sum of THREE THOUSAND SIX HUNDRED AND THIRTY-SIX POUNDS (£3636.00)

Background

1. By application dated 10 December 2025 the applicant seeks an order for payment in respect of rent arrears. The application also sought an additional sum of £936 in respect of repairs due to the condition of the property and missing/damaged items in the property.
2. The applicant lodged the following documents with the application:
   - Copy tenancy agreement
   - Rent statement for the duration of the tenancy
   - Spreadsheet of costs incurred

Case management discussion ("cmd") – 6 October 2026.

3. The applicant attended on his own behalf. The respondent was not present or represented. The Tribunal noted that papers had been served on the respondent by way of advertisement in terms of rule 6A following an unsuccessful attempt to trace the respondent by Sheriff Officers. The Tribunal was satisfied that the respondent had been properly notified of the cmd and proceeded in his absence.
4. The applicant advised that the tenancy commenced on 5 September 2024. He referred to the rent statement that had been submitted which spanned the period from the commencement of the tenancy until the tenancy terminated on 27 September 2025. The applicant stated that the tenancy terminated after Police Scotland got in touch with him to tell him that they were going to force entry into the flat as there was 2 dogs left alone in the property. The applicant stated that it was through Police Scotland that he became aware that the applicant had moved out of the property without providing notice. Police Scotland gained entry to the property and the dogs were removed on 27 September 2025. At that date the applicant took possession of the property as it was clear that the respondent no longer resided there. The applicant stated that the property had been left in a poor condition and he required to undertake various repairs and replace a large number of items that had been damaged. The Tribunal discussed the documents that had been submitted in relation to the £936 sought for damaged/missing items and repairs. The Tribunal discussed that further documentary evidence/vouching for the items sought would be required to show that the sums sought were lawfully due. After some discussion the applicant stated that he would restrict the application to rent arrears, maintaining the option to bring a separate application in relation to the other items at a future date.

Findings in fact

5. Parties entered into a tenancy agreement with a commencement date of 5 September 2024.
6. Monthly rent due in terms of the agreement was £792.

7. The tenancy terminated on 27 September 2025.
8. Rent arrears as at 27 September 2025 amounted to £3626.
9. The respondent has not made any payments towards the rent or arrears since 27 September 2025.
10. The respondent has not lodged any written defence to the application and did not attend the cmd to oppose an order being granted.

Reasons for the decision

11. Rule 17 (4) states:

> *The First-tier Tribunal may do anything at a case management discussion which it may do at a hearing, including making a decision.*

12. Rule 18 states:

> *Power to determine the proceedings without a hearing*
>
> ***18.**—(1) Subject to paragraph (2), the First-tier Tribunal—*
>
> *(a)may make a decision without a hearing if the First-tier Tribunal considers that—*
>
> *(i)having regard to such facts as are not disputed by the parties, it is able to make sufficient findings to determine the case; and*
>
> *(ii)to do so will not be contrary to the interests of the parties; and*
>
> *(b)must make a decision without a hearing where the decision relates to—*
>
> *(i)correcting; or*
>
> *(ii)reviewing on a point of law,*
>
> *a decision made by the First-tier Tribunal.*
>
> *(2) Before making a decision under paragraph (1), the First-tier Tribunal must consider any written representations submitted by the parties.*

13. The Tribunal was satisfied that it was able to make a determination and that it was not contrary to parties' interest to do so at the cmd without the need for a further hearing.

14. The Tribunal had regard to the application and the documents lodged by the applicant. The Tribunal had no reason to doubt the accuracy of the rent statement that had been submitted and accepted it as an accurate representation of the payments made by the respondent.
15. The Tribunal took into account that the respondent had not lodged any defence to the application or disputed the sum sought in any way.
16. The Tribunal took into account that the tenancy had ended when the applicant was alerted to the fact the that the respondent had vacated the property by Police Scotland. The respondent had made no contact with the applicant since September 2025.
17. The Tribunal was satisfied that the sum sought in relation to rent arrears was lawfully due.

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.

Mary-Claire Kelly

6 October 2026
Date