



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/26/1701

Re: Property at Blenboard Cottage Kilbryde Dunblane, Stirlingshire, FK15 9NF (“the Property”)

Parties:

Sir James Campbell, Kilbryde Castle Kilbryde Dunblane, Stirlingshire, FK15 9NF (“the Applicant”)

David Baird, Blenboard Cottage Kilbryde Dunblane, Stirlingshire, FK15 9NF (“the Respondent”)

Tribunal Members:

Robert MacDonald (Legal Member) and Angus Anderson (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

1. By application dated 16th April 2026, the Applicant sought an order under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 and Rule 111 of the First-Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, (“the Rules”).
2. On 7th May 2026 the application was accepted by the Tribunal and referred for determination by the Tribunal.
3. A Case Management Discussion was scheduled for 6th October 2026. The Tribunal gave notice of the Case Management Discussion to the parties in accordance with Rule 17.2 of the Rules. Intimation was made to the Respondent by Sheriff Officers on 10th August 2026 by letterbox service.
4. On 23rd September 2026, the Applicants agents lodged an updated rent account with the Tribunal together with an application to amend the sum claimed to £11,400.

5. The Case Management Discussion took place on 6th October 2026 at 10am. Ms. Alexandra Wooley, Solicitor, BKF Solicitors, Glasgow represented the Applicant, who was also present. There was no appearance by or on behalf of the Respondent.
6. The Tribunal had the following documents before it:-
 - a. Form F;
 - b. Rent statements;
 - c. Pre action protocol correspondence by the Applicant;
 - d. Application to amend the sum claimed.
7. Ms. Wooley invited the Tribunal to allow the sum claimed to be increased to £11,400 and sought a Payment Order in that amount. She sought interest at the contractual rate which was 5 percent per annum above the base lending rate of the Bank of Scotland in terms of clause 2.5.4 of the Private Residential Tenancy Agreement entered into between the parties. She invited the Tribunal to include interest when making an order for payment.
8. The Tribunal was satisfied that the application to amend the sum claimed had been lodged in time and had been intimated to the Respondent. There was no appearance on or on behalf of the Respondent and the Tribunal granted the application for payment of the amended sum claimed. As far as the claim for interest was concerned the Tribunal was satisfied that it was appropriate for interest to be applied to the debt and allowed interest to be applied at the rate of 8 percent per annum from the date of the order.

Findings in Fact

9. The Applicant and his wife are the registered owners of the property by virtue of a Land Certificate registered in the Land Register of Scotland under title number PTH53299.
10. The Applicant and the Respondent entered into a Private Residential Tenancy Agreement in relation to the property which commenced on 11th February 2025.
11. The agreed rent in terms of the Private Residential Tenancy Agreement was £950 per calendar month.
12. Rent was paid by the Respondent up to 21st September 2025. Thereafter no further payments of rent were made to the rent account by the Respondent.
13. At the date of the application to the Tribunal, the rent arrears amounted to £5700. At the date of the Case Management Discussion the arrears amounted to £11,400.
14. The Respondent is due the sum of £11,400 to the Applicant in arrears of rent.

Reason for Decision

15. The Tribunal accepted the unchallenged evidence of the Applicant regarding the level of arrears accumulated by the Respondent. The Applicant's agents sought interest on the order at the contractual rate. The Tribunal considered interest at the rate of 8 percent from the date of the Tribunal's decision until payment was fair and reasonable in all the circumstances.

16. An order for payment in the sum of £11,400 against the Respondent with interest at the rate of 8 percent per annum from the date of this decision until payment.

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

06.10.2026

Legal Member/Chair

Date