



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/26/1243

Re: Property at 0/1 3 Craigbank Crescent, Eaglesham, Glasgow, G76 0DU (“the Property”)

Parties:

Mr William MacDonald, 73 Holehouse Road, Eaglesham, Glasgow, G76 0JF (“the Applicant”)

Miss Carrie Ann Connor, 171C Riverside Road, Kirkfieldbank, Lanark, ML11 9JR (“the Respondent”)

Tribunal Members:

Julie McKinlay (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the Respondent in the sum of £640 together with interest at the rate of four per cent per annum from the date of the decision until payment.

Background

1. The Applicant seeks a Payment order in respect of rent arrears said to have been accrued by the Respondent under a private residential tenancy agreement between the parties.
2. The application is accompanied by a copy of the tenancy agreement, rent statements and communications concerning the deposit.

Case Management Discussion

3. The application called for a Case Management Discussion (CMD) by conference call at 11.30 am on 21 October 2026. The Applicant attended. There was no appearance by or on behalf of the Respondent. The application and details of the conference call had been competently served on the respondent by personal service by sheriff officers on 18 August 2026. Being satisfied that the application and notice of the CMD had been properly served, the Tribunal decided to proceed in the absence of the Respondent.
4. The Tribunal heard from the Applicant.
5. The Applicant explained that the Respondent was in arrears of rent in the sum of £640 being one month's rent in terms of the lease. The lease commenced on 11 August 2023. The Respondent advised the Applicant of her intention to leave the property on 31 August 2024. The Applicant was in contact with the Respondent as her time to vacate the property approached. On 31 August 2024 the Respondent was still cleaning the Property and sought assistance from her mother. On 4 September 2024 the Applicant went to the Property and the Respondent's mother was cleaning the carpets. The Applicant and Respondent had a discussion as the carpets had been so badly damaged, they needed to be replaced. The Applicant insisted that this was the responsibility of the Respondent in terms of the lease. When the Applicant returned to the Property later that day the Respondent had vacated the property and left the keys.
6. The Respondent had paid a deposit of £640 at the start of the lease. It was lodged with Safe Deposit Scotland. At the end of the lease Safe Deposit Scotland adjudicated and awarded the Applicant the deposit in compensation for the damage to the carpets and other aspects of the condition of the Property.
7. The rent statement showed arrears of rent in the sum of £640 from 4 June 2024 until 4 September 2024 when the Respondent vacated the Property. There had been months prior to that when the rent was paid late.
8. The Applicant in the application sought interest at the standard rate by which he explained he meant the rate that would ordinarily be awarded by the Tribunal. It was explained that interest was a matter for the Tribunal 's discretion. The Applicant explained that the rate in the lease was eight per cent, but he considered this to be too high.

Findings in Fact

9. The parties entered into a private residential tenancy agreement dated 11 August 2023. The Respondent vacated the Property on 4 September 2024.

10. The rent payable in terms of the tenancy agreement was £640 per calendar month.
11. The Respondent has been in arrears in respect of the rent since at least June 2024.
12. For the period to 4 September 2024 the Applicant is due rent from the Respondent in the sum of £640 which is the sum claimed in the application.

Decision

13. Having made the above findings in fact the Tribunal granted the application and made a Payment order in favour of the applicants against the respondent in the sum of £640.00.
14. The Tribunal noted that they have a discretion as to whether to grant interest on any order made. The Tribunal decided to award interest at the rate of 4 per cent per annum. The Respondent had been in arrears of rent since June 2024. The Applicant had sought interest in the application but accepted that the rate in the lease of eight per cent was too high. In the view of the Tribunal a rate of four per cent was more appropriate having regard to the Bank of England base rate currently. It was fair and reasonable in the circumstances to award interest on the outstanding sum.

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.

Julie McKinlay

Legal Member/Chair

21/10/2026

Date

