



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under the Private Housing (Tenancies)(Scotland) Act 2016 (“the 2016 Act”) and Rule 70 of The First-tier Tribunal for Scotland Housing and Property Chamber (Rules of Procedure) Regulations 2017 (“the 2017 Rules)

Chamber Ref: FTS/HPC/CV/25/1453

Re: Property at 7 Castle Drive, Airth, FK2 8GD (the Property)

Parties:

Mrs Elaine Warnock, 35 Douglasshill Place, Port Glasgow, PA14 5DN (the Applicant)

Rite Home, 350 Glasgow Harbour Terrace, Glasgow, G11 6EG (the Applicant’s Representative)

Mr Anton MacLaren, Flat 6, 7 Paton Drive, Larbert, FK5 4XD (the Respondent)

**Ms Susanne Tanner K.C. (Legal Member)
Ms Elizabeth Williams (Ordinary Member)**

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”) determined that the Respondents should pay to the Applicant the sum of THREE THOUSAND EIGHT HUNDRED AND THIRTY FOUR POUNDS (£3834.00) STERLING; and made an Order for Payment in respect of the said sum, with a Time to Pay Direction under Section 1(1) of the Debtors (Scotland) Act 1987, in the following terms: The respondent is required to pay the sum of £20.00 per week until the full amount has been paid. The first payment must be made no later than 30 days after intimation of the payment Order.

Statement of Reasons

1. A hearing took place on 20 July 2026 at 1000 by teleconference. Mr Nixon, the Applicant's Representative attended. Mr MacLaren, the Respondent attended.
2. Mr Nixon stated that the Applicant seeks the amended sum of £3834.00 from the Respondent for repair and renewals at the Property at the end of the tenancy. The amended sum takes account of the deposit which was applied in full to reduce the balance from the original sum of £4409.00 which was claimed. The deposit amount was applied in full and was not attributed to particular items on the list of deductions.
3. Mr MacLaren stated that the sum claimed is accepted by him but he sought time to pay. He said that he had previously made two payment offers to the Applicant which had been rejected. Mr MacLaren made a new payment offer to pay the sum of £3834.00 at £20.00 per week until cleared. The payment offer amounts to £1040.00 per year and it will take 3.68 years to clear the agreed balance.
4. Mr MacLaren stated that he is on universal credit. He stated that he is servicing a number of other debts. He has unsecured loans going back to a time when he was homeless. He paid rent through the homeless service. He has child maintenance payments to make via the DWP. He is disabled with fibromyalgia but it does not preclude him from working. He has a zero hours contract with a warehouse company the DWP introduced him to. He does not get any guaranteed shifts. He lives on his own and his child lives with their mother. He stated that if he pays £20.00 per week to the Applicant he will have £30.00 per week left to live on.
5. Mr Nixon stated that Mr MacLaren's two previous offers had been rejected because of the length of time that it would take to pay the balance (the first offer was £10 per month; and the second offer was £20 per month); and because Mr MacLaren had not previously produced any details of his income and expenditure. Mr Nixon stated that although the Applicant had been hoping for £100.00 per month, he had authority to accept a payment order for the full amount with a time to pay direction at £20.00 per week and he accepted Mr MacLaren's offer.

Discussion

6. The tribunal made a payment order on the agreed terms for the sum of £3834.00;, with a Time to Pay Direction under Section 1(1) of the Debtors

(Scotland) Act 1987, in the following terms: The respondent is required to pay the sum of £20.00 per week until the full amount has been paid. The first payment must be made no later than 30 days after intimation of the payment Order.

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.

Susanne Tanner

Legal Member/Chair

Date: 23 July 2026