



**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/26/0528

**Re: Property at Flat 1, Westpark, 25 Argyll St, Rothesay, Isle of Bute, PA20 0AU
("the Property")**

Parties:

**Bute Island Developments Ltd, 14 Craigmare Rd, Rothesay, Isle of Bute, PA20
9LB ("the Applicant")**

**Ms Kay Williams, Mr Barry Duncan, 94 Glenlossie Drive, Elgin, IV30 6YJ ("the
Respondent")**

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the
Tribunal") determined that an order for payment, in instalments, should be
made.**

Background

1. On 3rd February 2026 the Applicant lodged an application under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 ("the Rules") seeking payment of a sum of rent arrears.
2. Lodged with the Application were:
 - a. Copy Private Residential Tenancy commencing 3rd November 2023 and showing a rent of £700 per month
 - b. Rent Statement showing arrears of £676.67 at the end of the tenancy

- c. Various emails between the parties
- 3. The Application was served on the Respondents by Sheriff Officer on 2nd July 2026.
- 4. On 21st July 2026 the Second Named Respondent ("BD") sent an email to the Tribunal attaching a Time To Pay Application ("TTPA") and seeking a postponement as he will be travelling with work on the date of the Case Management Discussion. The offer in the TTPA was £75 per month. The email was brought to the Legal member's attention on 27th July 2026. The Legal Member refused the request for a postponement as it had come too late in the day, and in any event the Respondents had stated their position in the TTPA.
- 5. On 27th July 2026 the Applicant's representative, Ms Crichton, sent an email to the Tribunal opposing the request for a postponement and refusing the amount offered. She also sent a copy of an email of 26th May 2026 to the Respondent in which she indicated that the Applicant would accept payments of £60 per month to pay off the debt.

Case Management Discussion

- 6. The Case Management Discussion ("CMD") took place on 28th July 2026 by teleconference. The Applicant was represented by Ms Crichton, their Finance Manager. BD joined the call and represented both Respondents.
- 7. The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.
- 8. BD confirmed that the Respondents accepted that the sum was due. In terms of the TTPA they were offering £75 per month. Ms Crichton said that the Applicants would accept payment at the rate of £75 per month. She had been advised by the Scottish Association of Landlords to refuse in the first instance so that the case would call and could be dealt with properly.

Findings in Fact

- i. The parties entered in to a tenancy agreement for rent of the property;
- ii. The monthly rent was £700;
- iii. At the end of the tenancy the rent arrears owed were £676.67.

Reasons for Decision

The Respondents owe rent to the Applicant in the amount of £676.67. The Respondents offer to pay at the rate of £75 per month and that is acceptable to the Applicant.

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.

Alison J Kelly

28th of July 2026

Legal Member/Chair

Date