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 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: Reference number: FTS/HPC/CV/26/1982

RE: Property at 39 Longbraes Gardens, Kirkcaldy, Fife, KY2 5YJ

Parties:

MICHAEL URWIN, 3 Bankhead Cottages, Leven, Fife, KY8 5NL ("the Applicant")

BEN SMITH AND LORNA SMITH, 163 Bennochy Road, Kirkcaldy, KY2 5TT ("the Respondents")

Tribunal Members:

Lauren Rae (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal"), of consent by the Applicant and Respondents determined that an order should be granted for payment by the Respondents to the Applicant in the sum of ONE THOUSAND SEVEN HUNDRED AND SEVENTY-SIX POUNDS AND NINETY-NINE PENCE (£1776.99) STERLING

The First-tier Tribunal for Scotland (Housing and Property Chamber) made a time to pay direction under Section 1(1) of the Debtors (Scotland) Act 1987, in the following terms:

The Respondents are required to pay a lump sum of ONE THOUSAND SEVEN HUNDRED AND SEVENTY-SIX POUNDS AND NINETY-NINE PENCE STERLING. The lump sum payment must be made no later than 21 days after intimation of the Order.

Background

1. By application dated 12 April 2026, the Applicant sought an order under section of the section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 ("2016 Act") and rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 ("tribunal rules").

2. On 23 June 2026, the application was accepted by the tribunal and referred for determination by the tribunal. A case management discussion (CMD) was assigned for the 12 December 2026 and both parties had notice of the CMD.

3. By email dated 29 October 2026, the Respondents lodged an application for a time to pay direction, inter alia, (i) admitting that the sum claimed (£1,776.99) by the Applicant was due and payable; and (ii) proposing to pay the sum claimed by the Applicant in a lump sum payment as soon as possible

4. By email dated 1 November 2026, the Applicant lodged a time to pay response consenting to the Respondents' application for a time to pay direction.

Reasons for Decision

5. The Respondents having made an application for a time to pay direction and the Applicant having consented to the application for a time to pay direction, the Tribunal grants the order.

Decision

6. An order for payment in the sum of £1,776.99 is granted.

7. The tribunal makes a time to pay direction under section 1(1) of the Debtor (Scotland) Act 1987 for a lump sum payment by the Respondents to the Applicant in the sum of £1,776.99 payable within 21 days of the date of intimation of the Order.

8. The CMD assigned for the 12 December 2026 at 11.30am is discharged.

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.

Lauren Rae

Legal Member

11 November 2026
Date