



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014 (Act)**

Chamber Ref: FTS/HPC/CV/20/0682

**Re: Property at Rear Flat, 364 Victoria Road, Aberdeen, AB11 9PA (“the
Property”)**

Parties:

**Homeselect Finance (No.3) Limited, PO Box 61, Le Gallais Chambers, 54 Bath
Street, St Helier, Jersey (“the Applicant”)**

**Mr Grzegorz Tomala, Ms Monika Glowacka, 60 Donside Court, Aberdeen,
Aberdeenshire, AB24 2YL; 19 Cargill Court, Old Church Road, Aberdeen,
Aberdeenshire, AB11 8DF (“the Respondent”)**

Tribunal Members:

Alan Strain (Legal Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the order for payment in the sum of £1,423.97 be
granted and that a Time to Pay Direction be issued to the effect that each
Respondent pay the sum of £60 per month to the Applicant.**

Background

This is an application under Rule 70 and section 16 of the Act in respect of rent
arrears during a tenancy of the Property (£859.97) and also costs and outlays
incurred by the Applicant (£564). Both Respondents lodged a time to pay application
on their own behalf.

The Tribunal had regard to the following documents:

1. Application received 27 February 2020;
2. Schedule of Rent Arrears;
3. Schedule of Costs incurred;

4. Short Assured Tenancy Agreement (SAT) commencing 17 November 2016;
5. Time to Pay Application from First Respondent received 15 July 2020;
6. Time to Pay Application from Second Respondent received 13 July 2020;
7. Applicant's Response to Time to Pay Application dated 24 July 2020.

Case Management Discussion (CMD)

The case was Scheduled to call for a CMD by conference call on 7 August 2020. The Respondents had both lodged individual Time to Pay Applications admitting the debt and offering to pay at £60 per month each. The Applicant's agents had emailed the Tribunal Administration on 24 July advising that the offer to pay by both Respondents was accepted at the rate of £60 each.

The Tribunal considered the Time to Pay Applications, the Respondents financial circumstances, the amount of time it would take to pay the debt admitted due and the amount that was offered. The Tribunal also considered the Applicant's position that they were prepared to accept the payment of the debt at the amount offered.

The Tribunal was satisfied that the debt was admitted due in the sum of £1,423.97 and that the amount of £60 per month per Respondent was reasonable.

The Tribunal accordingly granted the Order and the Time to Pay Direction sought.

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.

Alan Strain

30 July 2020

Legal Member/Chair

Date