



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

Chamber Ref: FTS/HPC/CV/22/0551

Re: Property at 23/2 Gauze Street, Paisley, PA1 1ES (“the Property”)

Parties:

Punch Partnerships (PML) Ltd, Jubilee House, Second Avenue, Burton Upon Trent, DE14 2WF (“the Applicant”)

Jane Baird, 23/2 Gauze Street, Paisley, PA1 1ES (“the Respondent”)

Tribunal Members:

Shirley Evans (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to make an order for payment in the sum of FIVE THOUSAND EIGHT HUNDRED AND SIXTY TWO POUNDS AND FIFTY THREE PENCE (£5862.53) STERLING and made a time to pay direction under Section 1(1) of the Debtors (Scotland) Act 1987. The order for payment will be issued to the Applicant after the expiry of 30 days mentioned below in the right of appeal section unless an application for recall, review or permission to appeal is lodged with the Tribunal by the Respondent.

Background

- 1. The Applicant applied to the First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) for an order for payment of rent arrears of £ under Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Regulations”).**
- 2. The application was accompanied by a copy of a short assured tenancy agreement between the parties signed and dated 6 August 2015 and a rent statement setting out arrears of £5862.53.**

3. On 30 June 2022, the Tribunal intimated a copy of the application and advised parties that a Case Management Discussion (“CMD”) under Rule 17 of the Regulations would proceed on 10 August 2022.
4. In response, on 7 July 2022 the Respondent admitted the arrears and made an application to pay the arrears by way of monthly instalments of £100 per month. On 22 July 2022 the Applicant’s agent advised the Tribunal the Applicant would accept Time to Pay application.

Decision

5. In the circumstances the Tribunal discharged the CMD. As there was no dispute between the parties, the Tribunal granted a payment Order for £5862.53 and made a time to pay direction for the Respondent to pay the Applicant £100 per month under Section 1(1) of the Debtor’s (Scotland) Act 1987 as set out in the 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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal’s decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

S. E

3 August 2022

Legal Member

Date

