



**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/20/1251**

**Re: Property at Flat 22, Old Distillery, Dingwall, Ross -Shire, IV15 9XE (“the Property”)**

**Parties:**

**Mrs Angela Szyborski, Mrs Susan Szyborski - Welsh, 9 Ash Hill, Evanton, Ross - Shire, IV16 9XB; 1 Lentrán House, Lentrán, Inverness - Shire, IV3 8RL (“the Applicants”)**

**Mr Sean Macivor, 1 Old River Road, Dingwall, Ross - Shire, IV15 9LQ (“the Respondent”)**

**Tribunal Members:**

**Decision**

- 1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the respondent shall make payment to the applicant of the sum of one thousand one hundred and sixteen pounds (£1116) payable by instalments of twenty five pounds (£25) per week until payment with interest at the rate of 1.5 percent per annum from 8 September 2020 until payment.**
- 2. This was an application in terms of 71 of the Private Housing (Tenancies) (Scotland) Act 2016 , ‘the Act’ and rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, ‘the rules’ to recover rent arrears for the property.**
- 3. The tribunal had before it the following copy documents:**
  - (1) Application dated 7 June 2020.**
  - (2) Rent statement with rent arrears as at 1 April 2020**

- (3) Private Residential Tenancy agreement dated 11 October 2019.
- (4) Land certificate.
- (5) Bank statements.
- (6) Time to pay application dated 23 August 2020
- (7) Acceptance of time to pay application dated 6 September 2020.

### **Findings in fact**

4.
  - 1) The applicants are the owners of the property.
  - 2) The parties entered into a private residential tenancy agreement in October 2019 for let of the property.
  - 4) The agreed rent was £500 per month.
  - 5) Rent arrears began to accrue in December 2019.
  - 6) As at April 2020 the arrears were £1116.
  - 7) The sum of £1116 remains outstanding.

### **5. Reasons**

This was an application to recover rent arrears. The respondent admitted the debt and made a time to pay application which was accepted by the applicants. The tribunal accordingly made an order for payment of the sum of !1116 payable by instalments of £25 per month with interest at 1.5 per cent per annum as requested in the application.

### **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.**

**8 September 2020**

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**Lesley A Ward Legal Member**

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**Date**