



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 70(1) of the Private Housing
Tenancies (Scotland) Act 2016**

Chamber Ref: FTS/HPC/CV/22/4458

Re: Property at 83 Craigbeath Court, Fife, KY4 9BZ (“the Property”)

Parties:

Alv Holdings Ltd, 1 The Dairy, Righead Farm, Dunfermline, FK10 4AT (“the Applicant”)

Miss Carly Anne Mentiplay, 65 Bluebell Gardens, Cardenden, Lochgelly, Fife, KY5 0DS (“the Respondent”)

Tribunal Members:

Ruth O'Hare (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to make a payment order in the sum of One thousand seven hundred and ninety one pounds and ninety nine pence (£1,791.99) Sterling and made a time to pay direction requiring a lump sum payment of £396.99 within one month and thereafter payments of £100 per month from the date of decision until payment.

Background

- 1 By application to the Tribunal the Applicant sought an order for payment against the Respondent in respect of rent arrears. In support of the application the Applicant provided a copy of the tenancy agreement between the parties, rent statement, copy correspondence between the parties, deposit information and bank statements.
- 2 The Legal Member with delegated powers from the Chamber President agreed that there were no grounds upon which to reject the application. A Case Management Discussion was therefore assigned for 16 May 2023.

- 3 The application paperwork was served upon the Respondent by Sheriff Officers together with notification of the date and time of the Case Management Discussion. The Respondent subsequently submitted a time to pay application requesting a lump sum payment of £396.99 and payments of £100 per month thereafter.
- 4 The Applicant was provided with a copy of the time to pay application and responded to confirm their agreement to the proposal.
- 5 The Case Management Discussion took place on 16th May 2023. The Applicant was represented by Mr Turner. The Respondent was not in attendance. The Tribunal noted she had been served with the application and determined to proceed in her absence.
- 6 Mr Turner confirmed that the Applicant accepted the time to pay offer and was seeking an order in those terms.

Reasons for Decision

- 7 The Tribunal was satisfied that the Respondent was liable to pay the sum sought by the Applicant. She had admitted same in her time to pay application. Accordingly the Tribunal determined to make an order for payment in the sum of £1791.99 together with a time to pay order requiring a lump sum of £396.99 within twenty eight days from the date of decision and payments of £100 per month thereafter.

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.

R O'Hare

16 May 2023

Legal Member/Chair

Date