



**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/22/1951

**Re: Property at 4 Monkton Gardens, Newton Mearns, Glasgow, G77 5HW (“the
Property”)**

Parties:

**Mr Gobind Gharra, 6 Thornlea Drive, Giffnock, Glasgow, G46 6DB (“the
Applicant”)**

**Mr Mohammad Toseef Gill, 4 Monkton Gardens, Newton Mearns, Glasgow, G77
5HW (“the Respondent”)**

Tribunal Members:

Alan Strain (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the order for payment should be granted in the sum
of £2,650, grants the Respondent’s Time to Pay Application and directs that
payments be made at the rate of £100 per month.**

Background

This is an application under Rule 70 of the Tribunal Procedure Rules and section 16
of the Act for payment in respect of alleged rent arrears.

The Tribunal had regard to the following documents:

1. Application received 17 June 2022;
2. Tenancy Agreement (TA) commencing 10 August 2017;
3. Schedule of Rent Arrears;
4. Respondent’s time to pay application.

Case Management Discussion (CMD)

The case called for a CMD by conference call on 1 February 2023. Both Parties participated and were represented.

The Respondent accepted the debt was due and offered payment at the rate of £100 per month in terms of his time to pay application. The Applicant opposed the time to pay application as the Respondent had made previous offers to pay and not adhered to these as far back as 2020.

The Tribunal then considered the documentary evidence it had received from the Parties and in so far as material made the following findings in fact:

1. The Parties let the subjects under a TA commencing 10 August 2017;
2. As at the date of lodging the application and at the date of the CMD the rent was in arrears in the sum of £2,650;
3. The arrears were admitted as due.

The Tribunal considered that it had sufficient information upon which to make a Decision and that the procedure was fair. The Tribunal was satisfied that the rent arrears had been established and accordingly granted the application for an order for payment in the sum of £2,650.

The Tribunal considered and granted a time to pay direction in the amount of £100 per month.

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

1 February 2023

Legal Member/Chair

Date