

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 5 of the Debtors (Scotland) Act 1987**

**Chamber Ref: FTS/HPC/PY/21/2279**

**Parties:**

**Mr Stephen Barr, 35C Wallfield Crescent, Aberdeen, AB25 2LB (“the Applicant”)**

**Ms Pamela Scott, 62 Gillbrae, Dumfries, DG1 4PB (“the Respondent”)**

**Tribunal Members: Melanie Barbour**

**Decision (in absence of the Parties)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the time to pay application be granted in the sum of £23.00 per week.**

**Background**

This is an application for time to pay (TTPA) under section 5 of the Act and Rule 41H of the Tribunal Procedure Rules.

The Tribunal had regard to the following documents:

1. TTPA received on 20 September 2021;
2. Decision on Order for Payment dated 16 August 2019;
3. Earnings Arrestment served on 10 September 2021

**Reasons**

An order for payment had been granted by the Tribunal in the sum of £1,725.00 on 18 August 2019.

The Applicant applied for time to pay on 20 September 2021. The applicant offered to pay the debt at £100 per month.

The Tribunal copied the application to the Creditor. The Creditor opposed the offer, and proposed an alternative time to pay offer of £23.00 per week.

The Applicant accepted this revised proposal.

In light of all the information before the tribunal the tribunal is prepared to grant the TTPA.

### **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.**

  
**Melanie Barbour**

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**Legal Member/Chair**

\_\_\_\_\_**15 November 2021**\_\_\_\_\_  
**Date**