



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/23/2934**

**Re: Property at 4 Union Grove Court, Aberdeen, AB10 6JG (“the Property”)**

**Parties:**

**Skene Investments (Aberdeen) Limited, 6 Union Grove, Aberdeen, AB10 6SY (“the Applicant”)**

**Ms Feranmi Thomas, 3 Skene View, Westhill, Aberdeenshire, AB32 6AW (“the Respondent”)**

**Tribunal Members:**

**Graham Harding (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicant was entitled to an order for payment by the Respondent to the Applicant in the sum of £2948.90 subject to a Time to Pay Direction under the Debtors (Scotland) Act 1987 to pay by instalments at the rate of £100.00 per month.**

**Background**

1. By application dated 22 August 2023 the Applicant applied to the Tribunal for an order for payment in respect of alleged rent arrears arising from the Respondent’s tenancy of the property. The Applicant submitted a copy of the tenancy agreement and a rent statement in support of the application.
2. Following further correspondence between the Tribunal administration and the Applicant by Notice of Acceptance dated 9 October 2023 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion (“CMD”) was assigned.

3. Intimation of the CMD was served on the Respondent by Sheriff Officers on 22 November 2023.
4. By email dated 9 December 2023 the Respondent submitted written representations to the Tribunal together with an application for a Time to Pay direction under the Debtors (Scotland) Act 1987 accepting liability for the debt and offering to pay the debt at the rate of £100.00 per month after February 2024.
5. By email dated 19 December 2023 the Applicant accepted the Respondents offer.
6. In light of the Respondent's application for a Time to Pay Direction being accepted by the Applicant the Tribunal discharged the CMD.

### **Findings in Fact**

7. The parties entered into a Private Residential Tenancy Agreement that commenced on 7 December 2020 at an initial rent of £525.00 per month and subsequently increased to £550.00 per month on 6 September 2022
8. The tenancy ended on 17 March 2023.
9. At the end of the tenancy the Respondent owed rent of £2948.90.
10. The Respondent has accepted liability for the debt and offered to repay at the rate of £100.00 per month after February 2024 under a Time to Pay Direction.
11. The Applicant has accepted the Respondents offer.

### **Reasons for Decision**

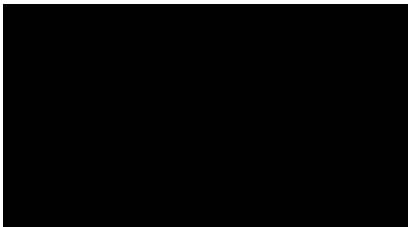
12. The Tribunal is satisfied from the documents produced and the written representations that the Respondent owes the Applicant rent of £2948.90. The Tribunal is also satisfied that in the circumstances it would be reasonable to grant a Time to Pay Direction under the Debtors (Scotland) Act 1987 given the Respondent's financial position and that the Applicant accepted the Respondent's offer to pay at the rate of £100.00 per month.

### **Decision**

13. The Tribunal finds the Applicant entitled to an order for payment by the Respondent to the Applicant in the sum of £2948.90 subject to a Time to Pay direction under the Debtors (Scotland) Act 1987 to pay by instalments at the rate of £100.00 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.**



**Graham Harding  
Legal Member/Chair**

**9 January 2024  
Date**