

**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/24/2951**

**Re: Property at 4 Murray Terrace, Pitlochry, PH9 0LA (“the Property”)**

**Parties:**

**Ms Catherine Sturrock, Garden Cottage, Murthly Castle, Perth, PH1 4HR (“the Applicant”)**

**Ms Chloe Campbell, 11 Arthur Street, Blairgowrie, PH10 6PB (“the Respondent”)**

**Tribunal Members:**

**Gillian Buchanan (Legal Member)**

**Decision**

A Case Management Discussion (“CMD”) in this matter was scheduled for 23 April 2025.

Prior to the CMD the Tribunal received an application for a Time to Pay Direction from the Respondent dated 16 April 2025. The application for a Time to Pay Direction was lodged on behalf of the Respondent by email from the Applicant’s representative dated 16 April 2025 and the Respondent was copied into that email.

Prior to the CMD the Tribunal also received from the Applicant’s representative an acceptance of the application for a Time to Pay Direction dated 16 April 2025.

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that**

The Tribunal noted the following background:-

- i. The Applicant is the heritable proprietor of the Property.
- ii. The Applicant leased the Property to the Respondent in terms of a Private Residential Tenancy Agreement (“the PRT”).
- iii. The rent payable in terms of the PRT was £450 per calendar month.

- iv. In terms of the application dated 21 June 2024 the Applicant seeks an order for payment of rent arrears due by the Respondent in a sum of £1800.
- v. The Respondent has vacated the Property.
- vi. In terms of the application for a Time to Pay Direction the Respondent acknowledges the rent arrears now due to be £4,250 and seeks payment thereof at £125 per month.
- vii. In terms of the acceptance of the application for a Time to pay Direction the Applicant seeks an order for payment of £4,250 at £125 per month.

In light of the parties' agreed positions the CMD did not proceed and the Tribunal made a determination of the application.

### **Findings in Fact**

- i. The Applicant leased the Property to the Respondent in terms of the PRT.
- ii. The rent payable in terms of the PRT is £450 per calendar month.
- iii. The Respondent has vacated the Property.
- iv. The rent arrears due by the Respondent to the Applicant are £4,250.

### **Decision**

Of consent the Tribunal –

- 1. Allowed the sums due in terms of the application to be amended to £4,250; and
- 2. Granted the Respondent's application for a Time to Pay Direction and ordered the sum of £4,250 due to the Applicant to be paid by monthly instalments of £125 with the first payment being due 7 days after intimation of the payment order.

### **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.**

**Date 23 April 2025**

Gillian Buchanan

**Legal Member/Chair**