



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section under Sections 5 and 7 of the Debtors (Scotland) Act 1987

Chamber Ref: FTS/HPC/PY/25/1520 and FTS/HPC/CV/24/0442

Parties:

Jamie Strachan, Hill Farm, Hill Road, Ashgill, Larkhall (“the Applicant”)

Fraser Perratt, South Cathkin Farm, Rutherglen, Glasgow, G73 5RG (“the Respondent”)

Tribunal Member: James Bauld (legal member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that a Time to Pay Order be made requiring the Debtor to pay the sum of £750 per month with payments commencing no later than fifteen days after intimation of the order on the Debtor.

Background

1. A payment order for £5579.37 was made against the Applicant on 9 July 2024 in tribunal case reference FTS/HPC/CV/24/0442
2. On 24 March 2025, a Charge in respect of the debt was served on the Applicant.
3. The sum due in respect of the Charge, including sheriff officer’s charges is £5,825.43
4. On 7 April 2025 the Applicant submitted an application for a Time to Pay Order in terms of Section 5 of the Debtors (Scotland) Act 2007. The Applicant offered to pay the sum of £750 per month.
5. The Respondent was advised of the offer and has not responded to the tribunal objecting to the offer.

Determination

6. Payment at the rate of £750 per month would mean that the debt would be paid within approximately eight months and considering that the Respondent has not objected to the application and taking into account the specific terms of Rule 41H (4) of the The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017, the Tribunal makes an order in those terms.

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.

James Bauld

James Bauld
Legal Member/Chair

14 May 2025
Date