

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/24/4607

Re: Property at 7 Hawick Street Wishaw ML2 8QX (“the Property”)

Parties:

Nadeem Iqbal, 30 Galloway Avenue Wishaw ML2 8NE (“the Applicant”)

Karen Gallagher, 357 Caledonian Road Wishaw ML2 0HZ (“the Respondent”)

Tribunal Member:

Lesley Ward (Legal Member)

1. Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent shall make payment to the Applicant of the sum of two thousand one hundred and sixty three pounds (£2163) payable in monthly instalments of fifty pounds (£50) until paid.

Background

2. This was an application to recover rent arrears in terms of section 71 of the Private Housing (Tenancies) (Scotland) Act 2014 (‘the Act’) and rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, ‘the rules’. The application was served on the Respondent by sheriff officer on 11 March 2025. The Respondent made a time to pay application on 12 March 2025. The Respondent offered to pay the debt at £50 per month. The Applicant’s solicitor wrote to the Tribunal on 7 May 2025 accepting the Respondent’s offer to pay the sum of £2163 at £50 per month.

3. Findings in fact

- The Applicant is the registered landlord of the Property.
- The Applicant is the owner of the property.
- The parties entered into a private residential tenancy agreement ('PRT') for let of the Property on 26 May 2022.
- The tenancy agreement had an agreed rent of £525 per month
- The rent was increased to £540.75 on 27 January 2024.
- Rent arrears began to accrue in June 2024.
- The Respondent left the Property on 12 December 2024.
- The rent arrears accrued to October 2024 were £2163. .

Reasons

. The Tribunal was satisfied that it had sufficient information before it to make a decision and the procedure has been fair. This was an application to recover rent arrears arising out of a PRT as set out in the rent statement provided. The Respondent admitted the arrears were due and made a time to pay direction, the terms of which were acceptable to the Applicant. The Tribunal accordingly granted an order for payment of the sum of £2163 at the rate of £50 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.

L. Ward

15 May 2025

Legal Member

Date