



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017**

**Chamber Ref: FTS/HPC/CV/24/4481**

**Re: Property at 9 Brown Crescent, Methil, Fife, KY8 2DF (“the Property”)**

**Parties:**

**Angela Heron, 12 Willow Glade, Leven, Fife, KY8 5PN (“the Applicant”)**

**Paige Thomson and William Napier, formerly residing at 9 Brown Crescent, Methil, Fife, KY8 2DF and now at 20 Lime Grove, Methil, KY8 2JR (“the Respondents”)**

**Tribunal Members:**

**Fiona Watson (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order is granted against the Respondents for payment of the undernoted sum to the Applicant:**

**Sum of TWO THOUSAND AND TEN POUNDS (£2,010) STERLING**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) made a time to pay direction under Section 1(1) of the Debtors (Scotland) Act 1987, in the following terms:**

**The respondent is required to pay the sum of ONE HUNDRED AND THIRTY POUNDS (£130) STERLING per calendar month until the full amount has been paid. The first payment must be made no later than 30 days after intimation of this Order.**

- Background

1. An application was submitted to the Tribunal under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”), seeking a payment order against the Respondents in relation to cleaning, damages and redecoration costs accrued under a private residential tenancy agreement.

- The Case Management Discussion

2. A Case Management Discussion (“CMD”) was assigned to take place on 22 April 2025 by telephone.
3. Prior to the CMD, the Second-Named Respondent submitted a Time to Pay Application, in which they admitted the sum due and sought repayment terms at the rate of £130 per month. The Applicant confirmed their agreement to the said Time to Pay Application lodged by the Respondent, in advance of the CMD.
4. The CMD was accordingly adjourned in advance, and the parties advised that the Time to Pay Application had been accepted.

- Findings in Fact

5. The Tribunal made the following findings in fact:
  - (i) The parties entered into a Private Residential Tenancy Agreement (“the Agreement”) which commenced 29 June 201;
  - (ii) In terms of Clause 17 of the Agreement, the Respondent was obliged to take reasonable care of the Property and the common parts;
  - (iii) The Respondent had failed to reasonable care of the Property, incurring cleaning, damages and redecoration costs amounting to £2,010.
  - (iv) The Respondent admits the claim.

- Reasons for Decision

6. The Tribunal considered the information submitted by the Respondent in their Time to Pay Application which set out their income and expenditure. The Tribunal noted that the sum proposed was a reasonable one taking into account the Respondent’s financial position as set out in the Time to Pay Application, and that the proposal had been accepted by the Applicant.

- Decision

7. The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order is granted against the Respondents for payment of the undernoted sum to the Applicant:

Sum of TWO THOUSAND AND TEN POUNDS (£2,010) STERLING

The First-tier Tribunal for Scotland (Housing and Property Chamber) made a time to pay direction under Section 1(1) of the Debtors (Scotland) Act 1987, in the following terms:

The Respondents are required to pay the sum of ONE HUNDRED AND THIRTY POUNDS (£130) STERLING per calendar month until the full amount has been paid. The first payment must be made no later than 30 days after intimation of this 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.**

Fiona Watson

**Legal Member/Chair**

**Date: 22 April 2025**