

**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) 2014 (“the 2014 Act”) and Section 1 of the Debtors (Scotland) Act 1987 (“the 1987 Act”)**

**Chamber Ref: FTS/HPC/CV/24/4817**

**Re: Property at 6E Charles Street, Aberdeen, AB25 3TU (“the Property”)**

**Parties:**

**Mr David Wood, 51 Tollohill Place, Aberdeen, AB12 5EA (“the Applicant”) and**

**Trinity Factoring Services Limited, 209 - 211 Bruntsfield Place, Edinburgh, EH10 4DH (“the Applicant’s Representative”) and**

**Mr Donangus Taylor, 25 Cairndhuna Terrace, Wick, KW1 5BJ (“the Respondent”)**

**Tribunal Member:**

**G McWilliams (Legal Member)**

**Decision**

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

**The Respondent’s application for time to pay be granted and that an order for payment of £4,635.12 be made and that at £200.00 per calendar month with the first payment to be made on 3<sup>rd</sup> November 2025 and thereafter on the first day of each consecutive month until the total sum of £4635.12 has been fully paid.**

### **Background**

- 1. The Applicant sought an order for payment in respect of rent arrears and other costs under Rule 111 of the First tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 (“the 2017 Rules”) (Application for civil proceedings in relation to a private residential tenancy).**

### **Case Management Discussion and Application for a Time to Pay Direction**

2. A Case Management Discussion (“CMD”) proceeded remotely by telephone conference call at 10am on 19<sup>th</sup> September 2025. The Applicant’s Representative’s Mrs R MacDonell and the Respondent Mr Taylor attended.
3. Mrs MacDonell and Mr Taylor agreed that the sum owing to the Applicant Mr Wood by Mr Taylor, as guarantor for Mr C Abernethy, is £4635.12, which sum will be repaid to Mr Wood by Mr Taylor at the rate of £200.00 per month, and that the repayments will begin on 3<sup>rd</sup> November 2025. They said that they had agreed that an order for payment, incorporating time to pay, should be granted. Mrs MacDonell said that she will provide Mr Taylor with Bank account details for his repayments.

### **Findings in Fact**

4. The Tribunal made the following findings in fact. Mr Taylor is guarantor for the obligations of Mr C Abernethy in respect of the latter’s Private Rented Tenancy Agreement (“PRT”) with the Applicant Mr Wood. Mr Taylor is due to pay the sum of £4635.12 to Mr Wood in respect of rent arrears and other costs arising from that PRT. Mr Taylor offers to pay the outstanding monies to Mr Wood at the rate of £200.00 per calendar month, commencing on 3<sup>rd</sup> November 2025 and continuing on consecutive months thereafter until fully repaid. Mr Taylor’s offer is acceptable to Mr Wood. The monthly repayment sum offered by Mr Taylor is reasonable as his consecutive monthly repayments should fully repay the sum due to Mr Wood within 24 months of their commencement.

### **Decision and Reasons for Decision**

5. Having found that the amount of £4635.12 is due and owing by the Respondent Mr Taylor to the Applicant Mr Wood and having found that Mr Taylor’s time to pay application is reasonable, and acceptable to Mr Wood, the Tribunal determined to grant the Order for Mr Donangus Taylor’s payment to Mr David Wood of £4635.12 by consecutive calendar monthly instalments of £200.00, in terms of Section 1 of the 1987 Act, commencing on 3<sup>rd</sup> November 2025.

## **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.**

**Gerald McWilliams**

**G McWilliams Tribunal Legal Member**

**Date: 19<sup>th</sup> September 2025**