

Housing and Property Chamber

First-tier Tribunal for Scotland



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 Refs: FTS/HPC/CV/24/4328 and FTS/HPC/CV/24/4329

Re: Property at 12 Edinburgh Road, Dumfries, DG1 1JQ (“the Property”)

Parties:

Mrs Pam McNaught, 44 Lovers Walk, Dumfries, DG1 1LX (“the Applicant”) and

Ms Shannon McNaught, 44 Lovers Walk, Dumfries, DG1 1LX (“the Applicant’s Representative”) and

Mr David Lessels, 33 Herries Avenue, Dumfries, DG1 3QW (“the First Respondent”) and

Mrs Catherine Lessels, 33 Herries Avenue, Dumfries, DG1 3QW (“the Second Respondent”) and

Mrs Gillian Sturgeon, 33 Herries Avenue, Dumfries, DG1 3QW (“the Respondents’ Representative”)

Tribunal Members:

G McWilliams- Legal Member

G Laurie- Ordinary Member

Case Management Discussion on 20th March 2025

1. A Case Management Discussion (“CMD”) proceeded remotely by telephone conference call on 20th March 2025. Reference is made to the Notes on that CMD.

Hearing on 2nd September 2025, Decision and Reasons

2. The parties’ Representatives both confirmed that parties had agreed settlement, in respect of these Applications, in emails which they sent to the Tribunal’s office on 1st September 2025. The parties agreed that the Respondents, Mr and Mrs

Lessels, will pay to the Applicant, Mrs McNaught, the sum of £3120.00 to be paid in the following instalments:

- i) £420.00 to be paid on the 17th September 2025 followed by
- ii) 18 monthly payments of £150.00 from 9th October 2025 to 9th March 2027.

3. In the circumstances the Tribunal discharged the evidential Hearing which was scheduled to proceed in person in Dumfries today, 2nd September 2025, on 1st September 2025. The Tribunal members then convened remotely by telephone today to make a decision in terms of the parties' agreement, without having to hear oral evidence and submissions from the parties and their Representatives.
4. Accordingly, the Tribunal, relying on the Representatives' emails sent on 1st September 2025, grants an order for payment by the Respondents, Mr David Lessels and Mrs Catherine Lessels, jointly and severally, to the Applicant, Mrs Pam McNaught, of the sum of £3120 to be paid in the following instalments:
 - i) £420.00 to be paid on the 17th September 2025 followed by
 - ii) 18 monthly payments of £150.00 from 9th October 2025 to 9th March 2027.
5. The Tribunal's order for payment, with time to pay, as agreed by the parties, will be issued separately.

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.

G McWilliams

Tribunal Legal Member

2nd September 2025

Date