



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 6 of the Debtors (Scotland) Act 1987

Chamber Ref: FTS/HPC/PY/25/4882

Parties:

Elizabeth Summerhill, 3 Turnlaw, Glasgow, G75 0RQ (“the Applicant”)

[REDACTED]

Tribunal Members: Fiona Watson

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application for a Time to Pay Order is refused.

- Background
- 1. The Respondent (the former landlord) had raised an application with the Tribunal seeking an order for payment against the Applicant (the former tenant) and against a joint respondent, Robert McDonough. The case reference of said application was FTS/HPC/CV/25/2255. A Case Management Discussion took place on 11 November 2025, at which the former landlord attended and there was no appearance by or on behalf of the former tenant.
- 2. The former landlord explained that the parties had entered into a tenancy agreement to which there was a guarantor. At the conclusion of the tenancy, rent was outstanding in the sum of £3289 48. Repairs costs amounted to £2337 03. A total sum due was £5626 51. An order was made for payment by the applicant in the sum of £5626.51 and which was dated 11 November 2025.
- 3. An Application for a Time to Pay Direction was submitted by the applicant, and which was dated 5 November 2025 but only received by the tribunal on 12 November 2025. Said application sought a Time to Pay Direction at the rate of £10 per week.

- Reasons for Decision
4. The tribunal noted that the debt had been admitted by the applicant, in terms of the Time to Pay Application submitted. The debt was £5626.51. At the rate of £10 per week, this would take over 10 years to repay. Whilst the tribunal noted the content of the Time to pay Application which set out the extent of the applicant's income and outgoings, the Tribunal considered that ten years was an excessive period of time for the debt to be repaid. The application is accordingly refused.
- Decision
5. The Tribunal determined that the application for a Time to Pay Order is refused.

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.



Legal Member/Chair

Date: 14 November 2025