



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/25/5519

Parties:

Abdul Jabbar, 4 Riccarton Avenue, Edinburgh, EH14 5PQ (“the Applicant”)

Mr Pardeep Kumar, 49 Jean Armour Avenue, Edinburgh, EH16 6BX (“the Respondent”)

Tribunal Members:

Fiona Watson, Legal Member

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 tenant) had raised an application with the Tribunal seeking an order for payment against the Applicant (the former landlord) in respect of the former landlord's failure to lodge a tenancy deposit with an approved tenancy deposit scheme. The case reference of said application was FTS/HPC/PR/25/2363. A Case Management Discussion (“CMD”) took place on 20 October 2025, at which both parties attended personally and represented themselves. The Applicant (former landlord) confirmed at said CMD that that the tenancy deposit had not been lodged within an approved tenancy deposit scheme in contravention of the requirements of the Tenancy Deposit Schemes (Scotland) Regulations 2011, and accordingly the Tribunal granted an Order for Payment in the sum of £3,000 against the Applicant (the former landlord) in favour of the Respondent (the former tenant).
- 2. An Application for a Time to Pay Order dated 2 December 2025 was submitted by the Applicant, in respect of the said payment order granted on 20 October 2025. Said application sought a Time to Pay Order at the rate of £150 per month. A response to same was submitted by the Respondent and dated 11 December 2025. Said response opposed the application on the basis that “*the payment offer is not reasonable... he is in stable full-time employment, has*

substantial assets, and has not provided reliable or consistent financial information.”

- Reasons for Decision

3. The Tribunal noted that the application states “*I fully accept the tribunal’s decision.*” The order granted is in the sum of £3,000. At the rate of £150 per month, this would take 20 months 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 20 months was not a reasonable period of time within which the debt should be repaid. The applicant owns a house (with approx. value of £430k), rented flat (with approx. value of £160k and for which it is assumed that rental income is received) and a vehicle (with approx. value of £20k). It was noted that the application states “*I do not have substantial liquid savings*” but does not provide any specification as to the actual level of any savings or other sums held. The Tribunal is not satisfied based on the information before it that there is any satisfactory reason why the Respondent should be unable to enforce the Order for Payment awarded in full. The application is accordingly refused.

- Decision

4. 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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal’s decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

Fiona Watson

**Legal Member/Chair
2025**

Date: 29 December