

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision with statement of reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014 (the 2014 Act) and Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (the 2017 Rules)**

**Chamber Ref: FTS/HPC/CV/25/3632**

**Re: Property at 7 Todhills North, The Murray, East Kilbride, G75 0LB (the Property)**

**Parties:**

**Mr Surjit Singh, 23 Kelvin Crescent, East Kilbride, G75 0TY (the Applicant)**

**Clarity Simplicity Limited, 34 Woodlands Road, Glasgow, G3 6UR (the Applicant's Representative)**

**Miss Megan Jane Smith, present whereabouts unknown (the Respondent)**

**Tribunal Members:**

**Ms. Susanne L. M. Tanner KC (Legal Member)**

**Decision (without a hearing in terms of Rule 18(1)(a) of the 2017 Rules)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (the Tribunal) determined that the Respondent should pay the Applicant the sum of SIXTEEN THOUSAND TWO HUNDRED TWO HUNDRED POUNDS (£16,200.00) STERLING; and made an Order for Payment in respect of the said sum; plus interest at the rate of eight per cent per annum from the date of the order until payment; with a time to pay direction in the sum of £100.00 per calendar month, with the first payment being due 30 days after the date of intimation of the order for payment.**

## Reasons

### Procedural Background

1. On 25 August 2025, the Applicant's Representative made an application to the tribunal in terms of Section 16 of the Housing (Scotland) Act 2014 (the 2014 Act) and Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Rules of Procedure) Regulations 2017 (the 2017 Rules).
2. In the Application, the Applicant sought a payment order against the Respondent in respect of rent arrears of £9,600.00 plus interest at the rate of 8% from the date of the order until payment.
3. On 4 February 2026, the Applicant's Representative requested an amendment to the Application to increase the principal sum claimed to £16,200.00. On 12 February 2026, the tribunal issued a Direction consenting to the amendment in terms of Rule 14A(2). The Direction was not issued to parties by the tribunal's administration until the Case Management Discussion (CMD) on 20 February 2026 (see below).
4. A CMD on the Application, as amended, took place on 20 February 2026 by teleconference. Ms Herd, solicitor, attended from the Applicant's representative. The Applicant attended. The Applicant had a supporter, Mr Javit Singh, his son. The Respondent did not attend. The tribunal was satisfied that the requirements of Rule 24(1) regarding the giving of notice of a hearing had been duly complied with and proceeded with the application upon the representations of the party present, in term of Rule 29 of the 2017 Rules.
5. The tribunal chair read out the contents of the Direction dated 12 February 2026 to parties present and confirmed that the principal sum claimed has been amended to £16,200 in respect of alleged rent arrears for the period to 27 February 2026. The tribunal's administration issued a copy of the tribunal's Direction to parties by email during the CMD at 1042h.
6. The tribunal heard submissions from Ms Herd about further procedure and the civil application was postponed to another date to be heard with the linked eviction case (EV/25/3631).
7. After the CMD, the Respondent replied to the tribunal administration's email attaching the Direction, Her email was sent at 1104h and stated that she had been expecting a phone call at 10am that day and that nobody had telephoned her. She admitted that rent arrears are due in the sum of £16,200.00 and requested time to pay at the rate of £100.00 per month, based on her current financial circumstances, which were outlined in her correspondence. A copy of the Respondent's email was

sent by the tribunal's administration to the tribunal and to the Applicant's Representative on 23 February 2026.

8. On 13 March 2026, Ms Herd, the Applicant's representative withdrew the related eviction application, on the basis that the Respondent had moved out of the Property and returned the keys. Ms Herd stated that in respect of the Respondent's time to pay application at £16,200.00, plus interest from the date of the order, in the sum of £100.00 per month, the Applicant wishes to accept this proposal and would be grateful if the tribunal could issue an order in that regard.
9. On 14 March 2026, the tribunal's administration confirmed withdrawal of the related eviction application and stated that as the Respondent has left the Property, the Applicant's Representative was requested to provide an address for this civil Application. The tribunal's case management system was updated to show that the Respondent's address is unknown.

#### **10. The tribunal makes the following findings-in-fact:**

- 10.1. The Applicant is the registered proprietor of the Property.
- 10.2. There was a short assured tenancy agreement between the Applicant and the Respondent for the Property dated 2 September 2024, which began on 31 August 2024 and ended when the Respondent moved out of the Property in or about March 2026.
- 10.3. Rent was payable at the rate of £950.00 per calendar month on 30<sup>th</sup> of each month in advance.
- 10.4. The Respondent has been continuously in rent arrears since 30 September 2024.
- 10.5. As at 30 January 2026, the rent arrears were £16,200.00, for the period to 28 February 2026.

#### **Discussion**

11. The Respondent agreed that she owes the Applicant the sum of £16,200.00 in respect of rent arrears for the Property for the period to 28 February 2026; and made a time to pay application offering the sum of £100.00 per month. She outlined her financial circumstances. She is a single parent of three children aged 9, 6 and 1. She works 16 hours per week, earning £12.60 per hour, which provides approximately £873 per month. She also receives approximately £1900.00 in

universal credit. Her total monthly income is therefore around £2773.00. Her essential outgoings include £440.00 per month rent at her new address, £78.00 Council Tax and £510.00 nursery fees, in addition to gas, electric, food, clothing, travel and general living expenses for herself and her three children. After meeting these costs she has limited disposable income available. She has stated a commitment to repaying the arrears and requested a time to pay order at £100.00 per month, which she stated was the maximum amount she can reasonably afford to pay at the moment.

12. On 13 March 2026, the Applicant accepted the Applicant's time to pay proposal and requested that an order is issued in those terms.
13. The tribunal considers that having regard to such facts as are not disputed by the parties it is able to make sufficient findings to determine the case; and to do so is not contrary to the interests of the parties; and made a decision without a hearing in terms of Rule 18(1)(a) of the 2017 Rules.
14. Although repayment of the admitted principal sum of £16,200.00 arrears will take 162 months, this rate is at the amount that the Respondent can afford based on her current income and outgoings and her proposal has been accepted by the Respondent.
15. The tribunal made an order for payment by the Respondent to the Applicant for the said sum in respect of the said period; with interest at eight per cent per annum from the date of the order until payment; with a time to pay direction in the sum of £100.00 per calendar month, with the first payment being due within 30 days of intimation of the 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.**

**Ms Susanne L. M. Tanner K.C.  
Legal Member/Chair**

**24 March 2026**