



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”)

Chamber Ref: FTS/HPC/CV/25/5113

Re: Property at 24 Irene Hughes Drive, Hilton Garden City, Dunfermline, KY11 2DZ (“the Property”)

Parties:

Kingdom Initiatives Limited, Saltire Centre, Pentland Court, Glenrothes, KY6 2DA (“the Applicant”)

Ms Caleigh MacPherson, Mr Craig Flynn, 24 Irene Hughes Drive, Hilton Garden City, Dunfermline, KY11 2DZ (“the Respondent”)

Tribunal Members: Ruth O’Hare, Legal Member

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondents are liable to pay the sum of Two thousand two hundred and twenty pounds and eighty four pence (£2,220.84) to the Applicant under the terms of the tenancy agreement between the parties.

The Tribunal therefore made a payment order in the sum of £2,220.84 against the Respondents in favour of the Applicant and made a time to pay direction under Section 1(1) of the Debtors (Scotland) Act 1987 requiring the Respondents to pay the sum of £220 per month from the date of this decision until the full amount has been paid.

The Tribunal further determined to exercise its discretion under Rule 41A of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 (“the Rules”) and award interest at the rate of 8% per annum from the date of this decision until the full amount has been paid.

Background

- 1 This is an application for a payment order under rule 111 of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017. The Applicant sought to recover unpaid rent from the Respondents in the sum of £5390.87.

- 2 The application was accepted and referred to a tribunal for determination. A case management discussion (“CMD”) was scheduled to take place on 9 June 2026 by teleconference. The Tribunal gave notice of the CMD to the parties in accordance with rule 17(2) of the Rules.
- 3 On 22 May 2026 the Tribunal received written representations from the Respondents which included an application for a time to pay direction at the rate of £220 per month.
- 4 On 2 June 2026 the Tribunal received an email from the Applicant’s representative, TC Young Solicitors, confirming that the Applicant was content to accept the Respondent’s time to pay application. The tribunal subsequently determined that it could reach a decision based on the written representations from the parties and proceeded to cancel the CMD. The tribunal requested an updated rent statement from the Applicant which was provided by the Applicant’s representative on 11 June 2026.

Reasons for decision

- 5 The tribunal was satisfied it had sufficient information upon which to reach a decision on the application. The tribunal had before it the updated rent statement from the Applicant which shows a reduced balance of £2220.84, and the Respondents have accepted liability for the debt by virtue of their application for a time to pay direction.
- 6 The tribunal therefore determined to make an order for payment in the sum of £2220.84 and made a time to pay direction for payments of £220 per month from the date of this decision until the full amount is paid.
- 7 The tribunal further determined to exercise its discretion until Rule 41A of the Rules and award interest on that sum at the rate of 8% per annum from the date of decision until the full amount is paid, as requested by the Applicant. The Respondents had not sought to dispute this and the tribunal considered 8% to be reasonable, being the general judicial rate.

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.

Ruth O'Hare

26 June 2026

Legal Member/Chair

Date