



**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**

**Chamber Ref: FTS/HPC/CV/19/1989**

**Re: Property at 5/3 Gumley Place, Edinburgh, EH6 7LS (“the Property”)**

**Parties:**

**Hillcrest Enterprises Limited, 1 Explorer Road, Dundee, DD2 1EG (“the Applicant”)**

**Mr Kevin Hoatson, 5/3 Gumley Place, Edinburgh, EH6 7LS (“the Respondent”)**

**Tribunal Members:**

**George Clark (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be granted and made an Order for Payment by the Respondent to the Applicant of the sum of £2,478.25 with a Time to Pay Direction.**

**Background**

By application, received by the Tribunal on 26 June 2019, the Applicant sought an Order for Payment in respect of arrears of rent that had become lawfully due by the Respondent to the Applicant.

The application was accompanied by copies of a Private Residential Tenancy Agreement between the Parties, commencing on 6 April 2018 at a rent of £605.79 per calendar month and a Rent Statement showing arrears as at 13 June 2019 of £2,478.25.

On 22 July 2019, the Tribunal advised the Parties of the date, time and venue for a Case Management Discussion and the Respondent was invited to make written representations by 7 August 2019. On 6 August 2019, the Tribunal received from the Respondent an Application for a Time to Pay Direction, in which the Respondent stated that he had been making payments monthly to clear some of the arrears and offered to pay off the sum due at the rate of £100 per month.

On 14 August 2019, the Applicant's representatives, TC Young solicitors, Glasgow confirmed that the Applicant consented to the proposed terms of the Time to Pay Application and was content with the proposal for time to pay.

**Reasons for Decision**

As the Parties had agreed that the payment is due and agreed the terms under which time to pay would be granted, it was no longer necessary to hold a Case Management Discussion and the Tribunal determined to make an Order for Payment with a Time to Pay Direction.

**Decision**

The Tribunal determined that the application should be granted and made an Order for Payment by the Respondent to the Applicant of the sum of £2,478.25 with a Time to Pay Direction.

**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.

**George Clark**

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Legal Member/Chair

22 August 2019  
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Date