



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Tenancies (Tenancies)(Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/19/2525**

**Re: Property at 9A Lornshill Crescent, Alloa, FK10 2JL (“the Property”)**

**Parties:**

**Khalsa Limited, C/O B-Spoke Property, 50 Port Street, Stirling, FK8 2LJ (“the Applicant”)**

**Miss Alana Bell, Mr David Docherty, 34A Fairfield Road, Sauchie, Alloa, FK10 3DB (“the Respondents”)**

**Tribunal Members:**

**Alastair Houston (Legal Member)**

**Decision in absence of the Respondents**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment of THREE THOUSAND ONE HUNDRED AND NINETY POUNDS (£3190.00) STERLING be made in favour of the Applicant.**

**1. Background**

1.1 This is an application under Rule 111 of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure (“the Rules”) being an application for an order for payment of various sums allegedly due by the Respondent following the end of a tenancy agreement between the parties.

**2. The Case Management Discussion**

2.1 The Case Management Discussion took place on 27 January 2020 by way of conference call. This was the third Case Management Discussion. The parties positions regarding the sums claimed is narrated in the notes on the previous Case Management Discussions and are not rehearsed again here.

2.2 The Applicant was represented by Mr Anderson, solicitor. The Respondents did not attend on the conference call. The Tribunal considered that they had been given notice of the Case Management Discussion and proceeded in their absence.

2.3 Prior to the Case Management Discussion, the Tribunal had received a letter from the Applicant's representative dated 6 January 2020. It advised that settlement terms had been reached with the Respondents whereby an order for payment of £3190.00 was to be granted that the Respondents were to make payment of at the rate of £200.00 per month. No contact had been received from the Respondents.

2.4 The Tribunal noted the terms of the notes on the previous Case Management Discussions. At the previous discussion on 13 December 2019, parties had indicated to the Tribunal that they were confident of reaching settlement. The Tribunal proceeded to confirm the terms of the settlement with Mr Anderson. He confirmed that the Applicant was seeking an order for payment of £3190.00 and that an agreement had been reached with the Respondents for payment to be made at the rate of £200.00 per month.

### **3. Reasons for Decision**

3.1 As above, the Tribunal had noted that parties were confident of reaching settlement. In the absence of any indication to the contrary, the Tribunal was content to grant the order for payment of the sum confirmed by Mr Anderson.

3.2 No application for a time to pay direction had been submitted by the Respondents. Accordingly, the Tribunal was unable to order payment of the principal sum at the rate agreed however, it is noted that payment is to be made at the rate of £200.00 per calendar month with the first payment expected by 31 January 2020.

### **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.**

Alastair Houston  
Legal Member/Chair

27 JANUARY 2020  
Date