



**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/18/3541

**Re: Property at 32 Covenanters Rise, Dunfermline, Fife, KY11 8SQ (“the
Property”)**

Parties:

**Mr Stephen O'Donoghue, Mrs Sheila Mair, Co Morgans, 33 East Port,
Dunfermline, KY12 7JE; C/o Morgans, 33 East Port, Fife, KY12 7JE (“the
Applicants”)**

**Mrs Angela Ann Mayston, 46 Meadowfield, Dalgety Bay, Dunfermline, KY11
9UT (“the Respondent”)**

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that**

**This matter called for a Case Management Discussion at 10am on 18 March
2019 at Fife Voluntary Action, 16 East Fergus Place, Kirkcaldy. The Applicants
were represented by Ms Sarah Ferguson of Morgans Solicitors. The
Respondent was personally present.**

**From the outset of the Hearing it was established that there was no dispute
that the sum claimed in the Application was lawfully due by the Respondent to
the Applicants. The Respondent candidly acknowledged this and referred to
unfortunate events in her personal life that gave rise to the rent arrears
accruing. The Tribunal noted that the tenancy agreement and the rent
statement lodged with the Application appeared to confirm the position that
£1,443.34 of rent that was lawfully due to the Applicants remained outstanding.**

The Respondent indicated she would require some time to settle any Payment Order made and both parties indicated a willingness to enter into a payment plan, albeit neither party today was in a position to confirm their position about the detail of this. Accordingly, the Tribunal decided to make a Payment Order against the Respondent in the sum of £1,443.34 being the whole amount sought and to leave it to the parties to begin discussions privately about how and whether this might be settled.

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.

Andrew McLaughlin

Legal Member/Chair

18/3/19

Date