



**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/19/3341

**Re: Property at The Old Manse, 37 Main Street, Collnsburgh, Fife, KY9 1LR
("the Property")**

Parties:

**Mr Nick Carrell, 19 Bulbridge Road, Wilton, Wiltshire, SP2 0LQ ("the
Applicant")**

**Mr Gary Carter, Ms Laura Skinner, 98 Carleton Avenue, Glenrothes, KY7 5AJ;
98 Carleton Avenue, Glenrothes, Fife, KY7 5AJ ("the Respondent")**

Tribunal Members:

Graham Harding (Legal Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the
Tribunal") determined that the Applicant was entitled to an order for payment
by the Respondents in the sum of £3478.40 payable by instalments at the rate
of £100.00 per fortnight in terms of a Time to Pay Direction under the Debtors
(Scotland) Act 1987.**

Background

1. By application dated 15 October 2019 the Applicant's representatives Jackson Boyd LLP applied to the Tribunal for an order for payment by the Respondents in respect of alleged rent arrears and damage to the property arising from the Respondents tenancy of the property under a Short Assured Tenancy. The Applicant's representatives submitted a copy of the tenancy agreement, a copy rent statement and documentation relating to the alleged damage to the property.

2. By Notice of Acceptance dated 31 October 2019 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion was assigned.
3. A Case Management Discussion was held at Kirkcaldy on 20 November 2019. The Respondents acknowledged liability for the debt in the sum of £3478.40 and asked for time to lodge an application for a time to pay direction. The Tribunal granted an adjournment for this purpose.
4. The Respondents lodged an Application for a time to Pay Direction dated 2 January 2020. They offered to pay the debt at the rate of £100.00 per fortnight.
5. By Response dated 27 January 2020 the Applicant's representatives Jackson Boyd LLP accepted the Respondents' offer.

The Case Management Discussion

6. The Applicant's representative Miss Sloey attended by conference call. Mr Carter attended on behalf of the Respondents in person.
7. The Tribunal confirmed with both parties that they accepted that the sum due was £3478.40 and that an order for payment in that amount should be granted but subject to a Time to pay Direction of payment by instalments of £100.00 per fortnight. Both parties confirmed their agreement and the Tribunal granted the order.

Findings in Fact

8. The parties were agreed that the Respondents owed the Applicant the sum of £3478.40.
9. The parties were agreed that a Time to Pay Direction should be granted whereby the Respondents pay the Applicant the said sum by instalments of £100.00 per fortnight.

Reasons for Decision

10. The Tribunal was satisfied that the parties had reached agreement as to the sum due by the Respondents to the Applicant and that the Applicant's representatives had accepted the Respondents' application for a Time to Pay Direction to offer to pay the debt at the rate of £100.00 per fortnight.

Decision

11. The Tribunal finds the Applicant was entitled to an order for payment by the Respondents in the sum of £3478.40 payable by instalments at the rate of £100.00 per fortnight in terms of a Time to Pay Direction under the Debtors (Scotland) Act 1987.

