



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

Chamber Ref: FTS/HPC/CV/22/2870

Property: 9 Rothesay Place, Coatbridge ML5 4JW (“the Property”)

Parties: Ms Melissa McKeown, c/o 1B Laird Street, Coatbridge ML5 3LJ (“the Applicant”)

Ms Patricia McLaughlin, Mr Brian McLaughlin, 93 Corsewall Street, Airdrie ML5 1QX; 14 Southfield Crescent, Coatbridge ML5 4QS (“the Respondent”)

Tribunal Members:

Mark Thorley (Legal Member)
Angus Lamont (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”) determined that an order for payment by the respondent to the applicant in the sum of TWO THOUSAND EIGHT HUNDRED AND THIRTY NINE POUNDS SIXTY SIX PENCE (£2,839.66) be made with a time to pay direction in the sum of TWO HUNDRED POUNDS (£200.00) per month with the first payment being made no later than 26 July 2022.

Background

1. The applicant applied to the First-tier Tribunal by application dated 5 October 2021. Accompanying the application was a copy of the Lease Agreement, arrears account and emails. The application was received on 29 November 2021 and certain further information was requested.
2. The application was accepted on 25 February 2022 and a case management discussion assigned for 3 May 2022. On that date both the applicant and respondent attended. A direction was then issued by the Tribunal.

3. Subsequently further correspondence was received by the tribunal indicating that parties had reached agreement namely that the respondent would accept responsibility for the rent arrears in the sum of £2,839.66 but that this would be subject to a time to pay direction in the sum of £200 per month.

Case Management Discussion

4. At the case management discussion Ms Barclay from Happy Lets Ltd for the applicant attended. Ms McLaughlin was also present on the teleconference.
5. The terms of the agreement were narrated to the tribunal with confirmation that the first payment under the time to pay direction was to be paid by 26 July 2022.

Findings in fact

6. The applicant entered into a Lease Agreement with the first named respondent for the rental of the property at 9 Rothesay Place, Coatbridge, North Lanarkshire MLO5 4JW with a commencement date of 2 May 2019.
7. Rent was to be paid at the rate of £575 per calendar month.
8. At the termination of the tenancy the sum of £2,839.66 was outstanding.
9. No rent had been paid since July 2021.

Reasons for decision

10. Parties had reached agreement about the outstanding rent and had agreed a time to pay direction. The tribunal were content to endorse the agreement reached between parties.

Decision

11. To make an order for payment by the respondent to the applicant of the sum of TWO THOUSAND EIGHT HUNDRED AND THIRTY NINE POUNDS SIXTY SIX PENCE (£2,839.66) with time to pay at the rate of TWO HUNDRED POUNDS (£200.00) per calendar month commencing 26 July 2022.

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.

Mark Thorley

Legal Member/Chair:

Date: 19 July 2022