



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

**Chamber Ref: FTS/HPC/CV/21/2236**

**Re: Property at 20 Michael Terrace, Chapelhall, Airdrie, ML6 8TQ (“the Property”)**

**Parties:**

**Ms Lindsay Thomson, 58 Martyn Street, Airdrie, ML6 9AU Mr: Mr Colin Tomney, Colin Tomney Letting Agents (“the applicant”)**

**Ms Caroline Maria Costello, 20 Michael Terrace, Chapelhall, Airdrie, ML6 8TQ per Ms Nicola Rylatt, Principal Solicitor, Lanarkshire Community Law Centre Ltd (“the respondent”)**

**Tribunal Members:**

**David Preston (Legal Member) and Gerard Darroch (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the respondent will pay to the applicant the sum of £1861.48 at the rate of £10 per week until paid.**

**Background**

1. By application dated 15 September 2021 the applicant applied to the First-tier Tribunal for Scotland Housing and Property Chamber for an order for payment of an unspecified amount in respect of arrears of rent. After an enquiry by the tribunal the amount was specified in the sum of £2261.89.
2. The application was considered by the tribunal alongside an application for eviction under reference ev.21.2235.
3. A Case Management Discussion (CMD) took place by telephone on 2 March 2022, following which a Note was issued by the tribunal on that date. The matter was

continued to a further CMD to provide the applicant additional time to consider the terms of the offer of Coronavirus Tenant Grant Fund by North Lanarkshire Council under which the sum of £1561.89 would be paid to the applicant towards the arrears.

4. Following sundry correspondence between the parties representatives, the applicant decided to reject the offer of grant.
5. Prior to the CMD the respondent's representative submitted a Second Inventory of Productions together with submissions and representations on behalf of the respondent along with email correspondence between the parties and between her and the applicant's representative. The respondents representative submitted the applicant's response together with an updated rent statement and further emails.
6. The representations submitted on behalf of the respondent accepted that the arrears as sought were due and outlined in detail the respondent's financial position by way of Time to Pay application in the sum of £10 per week.
7. The applicant sought an order for payment of the balance of arrears in the sum of £1861.48.

### **Reasons**

8. The respondent admitted the debt and acknowledged that the arrears as sought were outstanding. She provided sufficient information regarding her personal circumstances to enable the tribunal to assess that her offer of £10 per week was reasonable.

### **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.**

David Preston

26 April 2022