



**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/20/1900**

**Re: Property at Flat 3, 1B Blantyre Mill Road, Bothwell, G71 8EP (“the  
Property”)**

**Parties:**

**Stuart Denholm T/A Denholm Agencies, c/o 26 Cadzow Street, Hamilton, ML3  
6DG (“the Applicant”)**

**Mr Mark Joseph Flynn, 4/1 Redwood Lane, Hamilton, ML3 8SS (“the  
Respondent”)**

**Tribunal Members:**

**Alison Kelly (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order for payment in the sum of £2823.16, to be  
paid in instalments of £100 per month, should be made.**

**Background**

A Case Management Discussion (“CMD”) took place by way of teleconference on 27<sup>th</sup> October 2020. Both parties took part. At the CMD the Respondent accepted that the arrears amounted to £4110.66. He offered to pay £200 that day, and a further £100 per month. He hoped that as his financial circumstances improved he would be able to increase the amount of the payments. The Applicant was prepared to accept that amount initially but wanted the amount of the monthly payment to be reviewed in the coming months.

The Tribunal explained that the Respondent could make a Time To Pay Application. The case was continued to a further CMD to enable the Respondent to pay the agreed rent arrears by instalments of £200 today and £100 per month thereafter and to give consideration to making a Time To Pay Application.

The Respondent lodged a Time To Pay Application by email on the afternoon of 27<sup>th</sup> January 2021, the day before the CMD. The Applicant's representative lodged an Acceptance on the morning of the CMD.

### **Case Management Discussion**

The CMD took place by teleconference. The Applicant was represented by Joanne Smith of Excel Lettings. The Respondent represented himself.

The Tribunal explained the purposes of the CMD. Miss Smith confirmed that since the last CMD the Respondent had been making payments and the current balance of arrears was £2823.16. The Respondent agreed this figure. Miss Smith was content to accept £100 per month by way of instalments. The Respondent wished to express his thanks to the Applicant for his understanding and to Miss Smith for her assistance.

### **Reasons For Decision**

The Respondent made a Time To Pay Application, which was accepted by the Applicant.

### **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.**

**Alison Kelly**

28<sup>th</sup> January 2021

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**Legal Member/Chair**

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**Date**