

**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/21/0093

**Re: Property at 27/ A5 Neilston Road, Paisley, Renfrewshire, PA2 6LU (“the
Property”)**

Parties:

**Mrs Pauline Mullen, 83 Hazelwood Road, Bridge Of Weir, Renfrewshire, PA11
3DX (“the Applicant”)**

Mr William Boswell, 9C Union Court, PAISLEY, PA2 6DY (“the Respondent”)

Tribunal Members:

Mary-Claire Kelly (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined to grant an Order for payment of the sum of £3407.12.
The Tribunal made a time to pay direction under Section 1(1) of the Debtors
(Scotland) Act 1987 requiring the respondent to pay instalments of £100 per
month until such time as the debt is repaid.**

Background

1. By application dated 12th January 2021 the applicant sought an order for payment in the sum of £3407.12 in respect of rent arrears. The applicant submitted a copy lease, rent account and correspondence between the letting agent and the respondent in support of the application.
2. A case management discussion (“cmd”) was assigned for 27th April 2021. Prior to the cmd the respondent submitted an application for a time to pay direction. Shortly before the cmd the applicant responded to the application indicating that she agreed to the repayment proposal.

Case management discussion – 27th April 2021- teleconference

3. The applicant attended the cmd. The respondent was not present or represented. The Tribunal was satisfied that the respondent had proper notice of the cmd and proceeded in his absence in terms of rule 29.
4. The Tribunal had regard to the application for a time to pay direction. The Tribunal noted that the respondent accepted liability for the debt. The respondent listed his income and outgoings and proposed to repay the debt at the rate of £100 per month.
5. The applicant confirmed that the proposal was acceptable to her.
6. The Tribunal had regard to section 1A of the Debtors (Scotland) Act 1987 and considered that the offer was a reasonable one taking into account the level of the debt and the respondent's financial position.

Decision

The Tribunal determined to grant an order for payment in the sum of £3407.12 and determined to grant a time to pay direction requiring the respondent to repay the debt at the rate of £100 per month.

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.

27th April 2021

Legal Member/Chair

Date