



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/21/0298

Re: Property at 38E Friar Street, Perth, PH2 0ED (“the Property”)

Parties:

Mrs Amanda Fooks, 154B High Street, Newburgh, Fife, KY14 6DZ (“the Applicant”)

Miss Kirstie Connolly, 29 Kinloch Terrace, Perth, PH1 2HB, (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member)

Decision (without a hearing)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- **Background**

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent in terms of her private residential tenancy at the Property. The Respondent submitted a time to pay application offering to pay the sum sought at a rate of five pounds per week. The Applicant has accepted that offer as being reasonable.

- Findings in Fact

1. The Respondent owes the Applicant £2,567.23 in rent arrears.
2. The Respondent has fallen into arrears as a result of reduced income due to the coronavirus lockdown.
3. Payment of the sum outstanding at a rate of £5 per month is reasonable and affordable.

- Reasons for Decision

4. The Respondent has admitted that she owes the sum sought and has offered to pay at £5 per week. On the basis of the financial information contained in the time to pay application, payment at that rate is affordable for her. While the Tribunal may have had some concern at the amount of time such an arrangement will take to clear the debt, the Applicant's agreement to the arrangement addresses any such concern. The reasons given for the debt having arisen also weigh in favour of granting the application, in the hope that the Respondent's situation will improve in the future. It is therefore reasonable to grant the order in the form sought.

- Decision

5. Order granted for payment by the Respondent to the Applicant of the Sum of £2,567.23 (TWO THOUSAND, FIVE HUNDRED AND SIXTY SEVEN POUNDS AND TWENTY THREE PENCE STERLING), at a rate of £5 (FIVE POUNDS STERLING) per week.

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.

N. Young

30 March 2021

Legal Member/Chair

Date