



**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/23/1141**

**Re: Property at 17 Ben Vorlich Place, Darnley, Glasgow, G53 7WX (“the  
Property”)**

**Parties:**

**Mr Mohammed Imran Ghafoor, 18 Harvie Ave, Glasgow, G77 6LG (“the  
Applicant”)**

**Mr Amarjit Singh, Mrs Sandhok Kaur, 2/2, 9 Herriot Street, Glasgow, G41 2NN  
 (“the Respondent”)**

**Tribunal Members:**

**Graham Harding (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the Applicant was entitled to an order for payment by  
the Respondents to the Applicant in the sum of £7200.00 by way of instalments  
of £300.00 each month under a Time to Pay Direction under the Debtors  
(Scotland) Act 1987.**

**Background**

1. By application dated 7 April 2023 the Applicant’s representatives Letsbwise Glasgow Ltd applied to the Tribunal for on order for payment in the sum of £9110.41 in respect of alleged rent arrears arising out of the Respondents tenancy of the property. The Applicant’s representatives submitted a copy of the tenancy agreement and a rent schedule in support of the application.
2. Following further correspondence between the Applicant’s representatives and the Tribunal administration, by Notice of Acceptance dated 20 July 2023 a legal member of the Tribunal accepted the application and a Case Management Discussion (“CMD”) was assigned.

3. Intimation of the CMD was served on the Respondents by Sheriff Officers on 22 August 2023.
4. By emails dated 26, 28 and 31 August and 11 September 2023 Mrs Kaur submitted written representations to the Tribunal.
5. By email dated 6 September 2023 Mr Singh submitted written representations to the Tribunal.
6. By email dated 15 September 2023 the Applicant's representatives submitted an updated rent statement to the Tribunal showing the rent due after payment to the Applicant of the Respondents' deposit as £8310.41.

### **The Case Management Discussion**

7. A CMD was held by teleconference on 27 September 2023. The Applicant did not attend but was represented by Mr Mahmood Ullah from the Applicant's representatives. The Respondents attended in person.
8. Mr Ullah advised the Tribunal that the Respondents had fallen into arrears of rent in about 2020 and that by the end of the tenancy in March 2023 the arrears had risen to £9110.41.
9. The Tribunal noted from the recent rent statement that the Respondents' deposit of £800.00 paid at the commencement of the tenancy had been paid to the Applicant thus reducing the alleged rent arrears to £8310.41.
10. The Tribunal queried with the Respondents if they accepted that the sum of £8310.41 was due to the Applicant. After some discussion as to whether or not two cash payments of £400.00 paid directly to the Applicant in about October 2021 had been accounted for on the rent statement and which Mr Ullah said had been recorded the Respondents said they thought the sum due was about that claimed by the Applicant.
11. The Respondents explained that various repairs that had been reported to the Applicant or his representatives and which the Respondents had been told would be addressed had remained outstanding throughout the tenancy and the Respondents indicated that although they did not wish the application to continue further they wished some account to be taken of the Applicant's failings.
12. The Tribunal asked if the Respondents accepted that the sum claimed was due and they said that they did but wished to pay by instalments. Mr Singh offered to pay at the rate of £200.00 pounds per month. For the Applicant, Mr Ullah said that £200.00 per month was insufficient but acknowledged that the Respondents had been through difficult times and said that if they paid by instalments of £300.00 per month the Applicant would accept a total payment over 24 months making the amount due to be £7200.00. This was acceptable

to the Respondents. Mrs Kaur acknowledged that both Respondents were liable for the debt.

### **Findings in Fact**

13. The parties entered into a Private Residential Tenancy agreement that commenced on 22 June 2020 and ended on 8 March 2023.
14. The monthly rent was £800.00.
15. The parties have reached an agreement that the Respondents shall pay the Applicant £7200.00 under a Time to Pay direction in terms of the Debtors (Scotland) Act 1987 by instalments of £300.00 per month.

### **Reasons for Decision**

16. The Tribunal was satisfied that the parties had reached an agreement that was mutually acceptable to them and in the circumstances determined that it was appropriate to grant a Time to Pay Direction for payment by the Respondents to the Applicant in the sum of £7200.00 at the rate of £300.00 per month.

### **Decision**

17. The Tribunal finds the Applicant entitled to an order for payment by the Respondents in the sum of £7200 subject to a Time to Pay Direction under the Debtors (Scotland) Act 1987 by instalments at the rate of £300.00 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.**

**Graham Harding  
Legal Member/Chair**

**27 September 2023  
Date**