



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Chamber Ref: FTS/HPC/CV/21/0695

Re: Property at 17B Newhouse, Stirling, FK8 2AG (“the Property”)

Parties:

Mrs Mary Croome, South View, Hedley Road, Flackwell Heath, HP10 9AY (“the Applicant”)

Ms Sarah Jane Bratt, 20 Ward Road, Muthil, Perthshire, PH5 2AT (“the Respondent”)

Tribunal Members:

Virgil Crawford (Legal Member)

Decision

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

BACKGROUND

1. By Lease dated 19th June 2020 the applicant let the Property to David Young and the Respondent, Sarah Jane Bratt;
2. The rent payable was £600 per calendar month, payable monthly and in advance;
3. The tenancy ended on 15th December 2020. Mr Young had previously left the premises, the Respondent, Miss Bratt, leaving on 15th December 2020;
4. As at the date of termination of the tenancy arrears of rent amounted to £1,436.64;
5. Mr Young and the Respondent were jointly and severally liable for payment of rent in terms of the tenancy agreement;

THE CASE MANAGEMENT DISCUSSION

6. Both parties participated personally in the Case Management Discussion. Neither party was represented by an agent nor solicitor;
7. The Applicant confirmed that, despite the arrears of rent amounting to £1,436.64, she was willing to restrict her claim to one of £1,200;
8. The Respondent admitted that, as at the date of termination of the tenancy and as at the date of the case management discussion, the arrears of rent were as claimed by the applicant, namely arrears amounting to £1,436.64. The Respondent was obliged to the Applicant for restricting that to £1,200;
9. The only issue between the parties was in relation to time for payment. The Respondent outlined her constrained financial position and offered to make payment at the rate of £40 per month. The Applicant accepted payment at that rate, despite the fact that it would take a period of 30 months for payment to be made in full;

FINDINGS IN FACT

10. The Tribunal found the following facts to be admitted or proved:-
 - a) By Lease dated 19th June 2020 the applicant let the Property to David Young and the Respondent, Sarah Jane Bratt;
 - b) The rent payable was £600 per calendar month, payable monthly and in advance;
 - c) The tenancy ended on 15th December 2020. Mr Young had previously left the premises, the Respondent, Miss Bratt, leaving on 15th December 2020;
 - d) As at the date of termination of the tenancy arrears of rent amounted to £1,436.64;
 - e) Mr Young and the Respondent were jointly and severally liable for payment of rent in terms of the tenancy agreement;

REASONS FOR DECISION

11. Unusually, but refreshingly, there was no dispute between the Parties in relation to this matter. The Respondent admitted the amount of rent arrears claimed and offered to make payment by monthly instalments. The Applicant was willing to accept the instalments offered, despite the length of time it would take for payment to be paid in full.
12. In the circumstances, there was no reason for the Tribunal not to make the order both parties were, in effect, inviting it to make.

DECISION

The Tribunal granted an order against the Respondent for payment of the sum of ONE THOUSAND TWO HUNDRED POUNDS (£1,200.00) STERLING to the Applicant.

The respondent is required to pay the sum of FORTY POUNDS (£40.00) STERLING per calendar month until the full amount has been paid. The first payment must be made no later than 30 days after intimation of this Order.

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.

V Crawford

14 May 2021

Legal Member/Chair

Date