



**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/21/2307**

**Re: Property at 265C High Street, Kirkcaldy, KY1 1JH (“the Property”)**

**Parties:**

**Mr Malcolm Howes, 20 Strathalmond Road, Edinburgh, EH4 8AF (“the Applicant”)**

**Ms Carol Dick, 265C High Street, Kirkcaldy, KY1 1JH (“the Respondent”)**

**Tribunal Members:**

**Gabrielle Miller (Legal Member)**

**Decision (in absence of both parties)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that that the order for payment is granted to the amount of £756.87 (SEVEN HUNDRED AND FIFTY SIX POUNDS AND EIGHTY SEVEN PENCE) [to be paid by a Time to Pay Direction at £40 (FORTY POUNDS) per month].**

**Background**

1. This is an application in terms of Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”). The Applicant is seeking an order for payment of the sum of £756.87 in terms of s16 of the Housing (Scotland) Act 2014.
2. A Time to Pay Direction was received by the Housing and Property Chamber on 9<sup>th</sup> December 2021. This included an offer of payment of £40 per month.
3. The Applicant submitted a response to the Time to Pay Direction on 15<sup>th</sup> December 2021. This accepted the proposed payment rate of £40 per month.

4. The Tribunal dispensed with the requirement for a Case Management Discussion on the basis that parties were in agreement. The Tribunal issued an order accordingly.

#### Decision

5. The Applicant is entitled to an order of payment of £756.87 by the Respondent at £40 per month as per the Time to Pay Direction. The Order was granted against the Respondent.

#### **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.**

Gabrielle Miller

20 December 2021

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**Legal Member/Chair**

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**Date**