

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision 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/19/1465

Re: Property at 25 Riverside Gardens, Cronberry, KA18 3LU ("the Property")

Parties:

TCIB Residential LLP T/A NewKeyLets, 119 Main Street, Wishaw, ML2 7AU ("the Applicants")

Ms Sandra Fullerton, 11 Park Terrace, Lugar, Cumnock, KA18 3LD ("the Respondent")

Tribunal Members:

Martin McAllister (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") granted an order against the Respondent for payment of the sum of £950 to the Applicants and made a time to pay direction under Section 1(1) of the Debtors (Scotland) Act 1987 requiring the Respondent to pay the sum of £50 per month until the full amount has been paid.

Background

On 3rd June 2019 the Applicants submitted an application to the First-tier Tribunal for Scotland seeking payment of the sum of £950 in respect of rent arrears.

In response, the Respondent submitted an application under the Debtors (Scotland) Act 1987 admitting the debt and requesting that a time to pay direction allowing her to pay the debt at the rate of £50 per month.

The Applicants submitted a response to the Tribunal accepting the proposal of the Applicants.

The Tribunal granted an order for payment of £950 and made a time to pay direction in accordance with the application of the Application – that the debt be paid at the rate of £50 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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

Martin McAllister

Martin J. McAllister, Legal Member

24th June 2019