



**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/19/1480

**Re: Property at Calside Farmhouse, Moniaive, Dumfriesshire, DG3 4JA (“the
Property”)**

Parties:

**Carin Sykes, Craigdarroch Estate, Craigdarroch House, Moniaive, DG3 4JB
 (“the Applicant”)**

**Ms Leanne Doherty, McIntyre's, Now and Zen, 66 Drumlanrig Street, Thornhill,
Dumfries, DG3 5LY (“the Respondent”)**

Tribunal Members:

Melanie Barbour (Legal Member)

Decision (in absence of the Respondent)

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

Background

1. An application was made to the First Tier Tribunal for Scotland (Housing and Property Chamber) under rule 70 of the First Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 (“the 2017 Rules”) seeking an order for payment in relation to matters arising from an assured tenancy.
2. The application contained,
 - a copy of the tenancy agreement;
 - ledger;
 - invoice for specialist cleaning ; and
 - Invoice for skip hire.
3. On 8 July 2019 the Respondent completed a time to pay application admitting liability for the debt and offering to pay £50 per month, and requested that the

tribunal make a time to pay direction. The time to pay application also contained a letter setting out a number of issues regarding the tenancy and disclosing her current address.

4. On 24 July 2019 the Applicant's agent completed a time to pay response accepting the time to pay offer proposed.
5. On 30 July the tribunal office wrote to the Respondent seeking clarification on the issues she raised in the letter attached to the time to pay application. There had been no response to the tribunal's letter.
6. The Applicant's agent appeared on behalf of the Applicant. There was no appearance from the Respondent. Notice of the Hearing had been made by sheriff officers on 28 June 2019. I was satisfied that service had taken place I was prepared to proceed with today's case management discussion in the absence of the Respondent.

Hearing

7. The Applicant's agent confirmed that his client still wished to accept the time to offer which had been made.

Decision

8. The Tribunal grants an order in favour of the Applicant for THREE THOUSAND THREE HUNDRED AND EIGHTY FIVE POUNDS SEVENTEEN PENCE (£3,385.17) STERLING against the Respondent. The Tribunal agreed to make a Time-to-pay Direction under Section 1(1) of the Debtors (Scotland) Act 1987, in the following terms: The Respondent is required to pay the sum of FIFTY POUNDS (£50) STERLING 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.

Melanie Barbour

Legal Member/Chair

Date

9. 8. 19