

Housing and Property Chamber

First-tier Tribunal for Scotland



Glasgow Tribunals Centre
20 York Street
GLASGOW
G2 8GT

www.housingandpropertychamber.scot
0141 302 5900

Application for a Time to Pay Order

Application for a “time to pay order” under the Debtors (Scotland) Act 1987

The Debtors (Scotland) Act 1987 (“the 1987 Act”) gives a debtor the right to apply for a time to pay order where an Order for payment has been made against them after the commencement of diligence but before its conclusion. A time to pay order is an order permitting you to pay the sum of money you are required to pay to the creditor (which may include interest) either by way of instalments or a deferred lump sum.

PLEASE COMPLETE THIS FORM USING BLOCK CAPITALS AND BLACK INK

1. YOUR DETAILS

Name

Address

Telephone

Email

2. DETAILS OF THE PAYMENT ORDER AND ACTIONS TAKEN

a An application for a time to pay order can only be made where a Payment Order has been made by the Tribunal. Please confirm details of the payment order below, and tick the relevant box to confirm you have attached a copy of the Payment Order to your application

Payment Order Attached

Sum awarded in Payment Order:

£

Amount outstanding at date of application
(if less than the sum awarded)

£

2. DETAILS OF THE PAYMENT ORDER AND ACTIONS TAKEN (continued)

b In terms of Section 5(1) of the Debtors (Scotland) Act 1987, a time to pay order applies to a debt in respect of which one of the following has occurred. Please select which option applies:

A charge for payment has been served on the debtor

An arrestment has been executed

An action of adjudication for debt has commenced

Please confirm by ticking this box that all relevant paperwork in relation to the action above is attached to the application

3. YOUR REQUEST FOR A TIME TO PAY ORDER

I wish to apply for a time to pay order in the following terms:

Instalments

i. Amount: £

ii. Every week fortnight month
until payment has been made in full.

One lump sum payment

iii. Within this time period:

(specify a period in weeks/months from the date of the time to pay order to pay all money due under the Order for Payment)

The Tribunal will make a time to pay order if satisfied that it is reasonable in the circumstances to do so and having regard in particular to the following matters –

- The nature of and reasons for the debt in relation to which the order is sought;
- Any action taken by the creditor to assist the debtor in paying the debt;
- The debtor's financial position;
- The reasonableness of any proposal by the debtor to pay that debt; and
- The reasonableness of any refusal or objection by the creditor to any proposal or offer by the debtor to pay the debt.

4. YOUR FINANCIAL POSITION

To assist the Tribunal in making a decision on whether to make a time to pay order, please give as much details as you can on your current financial position, by completing this section of the form.

a. Your employment status (tick one):

- Employed Self Employed Unemployed

b. If you are employed, give further details here (tick one item from each row):

- Full Time Part-time Zero Hours
-
- Permanent Temporary Other

c. Further information about employment (for example end date for temporary contracts)

Your income and outgoings

Please complete sections d and e below with all the information that applies to your circumstances, and specify whether each amount is a weekly, fortnightly or monthly figure. For any wages you are paid, please provide the net earnings you receive.

d. Income

Your take home (net) pay is made up of:

weekly fortnightly monthly

- | | | | | |
|---|----------------------|--------------------------|--------------------------|--------------------------|
| 1. Wages | <input type="text"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Bonuses/Commission | <input type="text"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. State Benefits | <input type="text"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Tax Credits | <input type="text"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Other, such as pension, maintenance etc (please specify) | | | | |
| a. | <input type="text"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. | <input type="text"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. | <input type="text"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. TOTAL NET INCOME | <input type="text"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

4. YOUR FINANCIAL POSITION (continued)

e. Outgoings are made up of:		weekly	fortnightly	monthly
1. Mortgage/Rent	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Council Tax	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Utilities (Gas/Electricity etc)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Food	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Credit and loans	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Phone	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Maintenance/childcare costs	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Travel Costs (e.g to work)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Other (please specify)				
a.	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. TOTAL NET OUTGOINGS	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. DEPENDANTS LIVING WITH YOU

Select all that apply:

Spouse/partner

Children under 18 years of age

If selected, how many children?

6. ASSETS AND DEBTS

a List here all assets you have, with their relevant monetary value:

(this can include the value of your house, and the amount of any savings, shares and other investments)

7. ABOUT YOUR APPLICATION (continued)

c. Why is the payment offer you have made reasonable?

8. DECLARATION AND SIGNATURE

I request that the Tribunal:

Make a time to pay order

NAME

Signature

Date