



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

Chamber Ref: FTS/HPC/EV/23/3559

Re: Property at 12 Canal Place, Aberdeen, AB24 3HG (“the Property”)

Parties:

**Mr Jiannan Yin, Mrs Xiangqi Wang, 81 Tanworth Lane, Sollhull, Nr Birmingham,
B90 4DG (“the Applicant”)**

**Mr Konstantinos Okonomou, 12 Canal Place, Aberdeen, AB24 3HG (“the
Respondent”)**

Tribunal Members:

Virgil Crawford (Legal Member) and Angus Lamont (Ordinary Member)

Decision

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

BACKGROUND

1. By lease dated 27th May 2019 the Applicants let the Property to the Respondent.
2. On 4th July 2023 the Applicants served a Notice to Leave upon the Respondent. The Notice to Leave sought vacant possession of the Property on the basis the Applicants wished to sell it.
3. A Notice in terms of s11 of the Homelessness Etc. (Scotland) Act 2003 was intimated to the Local Authority.
4. The Applicant provided confirmation to the Tribunal that instructions had been given to Solicitors to market and sell the Property once vacant possession was obtained.

THE CASE MANAGEMENT DISCUSSION

5. The Applicants were represented at the Tribunal by Mr M Kingdom of Messrs Peterkins, Solicitors, Aberdeen. The Respondent did not participate in the Case Management Discussion. The Tribunal, however, was in receipt of a certificate of intimation by Sheriff Officers confirming that the proceedings had been intimated upon the Respondent. In the circumstances, the Tribunal was satisfied in terms of Rule 24 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the FTT Regs”) that the respondent had received intimation of the date and time of the Case Management Discussion and considered that it was appropriate to proceed with the Case Management Discussion in the absence of the Respondent in accordance with Rule 29 of the FTT regs;
6. Mr Kingdom moved the Tribunal to grant an order for Eviction. He accepted that any Order granted was affected by the Cost of Living (Tenant Protection) (Scotland) Act 2022 and the date on which any enforcement of an eviction order could take place would be affected by that Act.
7. There was no appearance by the Respondent. No Submissions had been lodged by the Respondent. In the circumstances, there was no opposition to the Application.
8. The Tribunal had no information before it to enable it to conclude that it would be in anyway unreasonable to grant an Order for Eviction.
9. In the circumstances, in the absence of opposition, the Tribunal granted the order sought by the Applicant.

DECISION

The Tribunal granted an order against the Respondent for eviction of the Respondent from the Property under section 51 of the Private Housing (Tenancies) (Scotland) Act 2016, under ground 1 of schedule 3 of said Act.

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.



8th January 2024

Legal Member/Chair

Date