



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Residential (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/25/3861**

**Re: Property at 1/2 5 Church Street, New Street, Kilbarchan, PA10 2JQ (“the Property”)**

**Parties:**

**Trustees of Lodge St. Barehans, 156 Masonic Hall, New Street, Kilbarchan, PA10 2LN (“the Applicant”)**

**Mr Robert Slaven, 1/2 5 Church Street, Kilbarchan, PA10 2JQ (“the Respondent”)**

**Tribunal Member:**

**Lauren Rae (Legal Member)**

**Decision (in absence of the Applicant and Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be dismissed for want of insistence.**

**Background**

- By application dated 26 August 2025, the Applicant sought an order under section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 (“2016 Act”) and rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“tribunal rules”).
- On 4 November 2025 the application was accepted by the tribunal and referred for determination by the tribunal.
- A Case Management Discussion (“CMD”) was fixed to take place on 22 April 2026. Service of the Tribunal papers was effected on the Respondent by Sheriff Officers on 4 March 2026

### **The Case Management Discussion (“CMD”)**

- The CMD took place on 22 April 2026 at 10am by teleconference. Neither the Applicant nor the Respondent were present or represented.
- The tribunal adjourned for a short period of time to allow the clerk to telephone the Applicant’s representative.
- The clerk advised that she had spoken to the Applicant’s representative, Mr Lind, who advised that he was no longer instructed by the Applicant and agency had transferred elsewhere.
- The tribunal was satisfied that both parties had had sufficient notice of the date and time of the CMD.

### **Reasons for Decision**

- In absence of attendance by or on behalf of either the Applicant or the Respondent, the tribunal dismissed the application for want of insistence.

### **Decision**

The tribunal, of its own volition, and in absence of any appearance by or on behalf of the parties, dismissed the application.

### **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.**

**22/04/2026**

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**Legal Member/Chair**

Lauren Rae

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**Date**