



**Decision with Statement of Reasons 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/26/1511

**Re: Property at 98 Victoria Street, Stromness, Orkney, KW16 3BS (“the
Property”)**

Parties:

**R Clouston (Subsidiary) Ltd, 10 Grainshore Drive, Hatston Industrial Estate,
Kirkwall, Orkney, KW15 1GG (“the Applicant”)**

Mr Jack Parr, 2 Hill-Grind, Lerwick, Shetland, ZE1 0GT (“the Respondent”)

Tribunal Members:

Hilary Macandrew (Legal Member)

Decision in absence of both the Applicant and the Respondent

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

1) Background

By Application dated 6th April 2026 the Applicant sought an order Section 71(1) of
the Private Housing (Tenancies) (Scotland) Act 2016

- 1.1 The application to the Tribunal was made by Form F and was accepted for
determination by the Tribunal on 5th June 2026.
- 1.2 Intimation of the application and of the Initial Case Management Discussion
(CMD) was effected upon the Respondent by sheriff officers on 7th September
2026.
- 1.3 The Applicant lodged the following documents in advance of the case
management discussion (CMD):-

- Private Residential Tenancy agreement
- Rent Statement
- Rent Increase Notices

1.4 A Case Management Discussion was set to take place on 9th October 2026. Intimation was given to the Respondent by Sheriff Officers on 7th September 2026.

2) The Case Management Discussion ('CMD')

2.1 The CMD took place by tele conference on 9th October 2026. The start was delayed by fifteen minutes to allow both the Applicant and the Respondent to take part. Neither the Applicant nor the Respondent took part. Neither the Applicant nor the Respondent were represented.

3) Reasons and Decision

3.1 The Application was dismissed.

3.2 The Applicant was neither present nor represented and accordingly the Application was not insisted upon.

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.

**H Macandrew
Legal Member/Chair**

**9th October 2026
Date**