



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 33 of the Housing (Scotland) Act 1988**

**Chamber Ref: FTS/HPC/EV/18/1116**

**Re: Property at 1 Towers Court, Falkirk, FK2 7EH (“the Property”)**

**Parties:**

**Mr Robert Gillies, 7/42 Murieston Road, Edinburgh, EH11 2JJ (“the Applicant”)**

**Mr Michael Lambe, 1 Towers Court, Falkirk, FK2 7EH (“the Respondent”)**

**Tribunal Members:**

**Nairn Young (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for recovery of possession of the Property by the Applicant should be granted.**

- **Background**

This application is for recovery of possession of the Property in terms of rule 66 of the Tribunal’s Rules of Procedure. It called for a Case Management Discussion on 7 August 2018. The Applicant was present in person; the Respondent was absent and unrepresented.

- **Findings in Fact**

1. The Property was let by the Applicant to the Respondent in terms of a short assured tenancy commencing 9 March 2017.
2. Notice to Quit and Form AT6 were served on the Respondent on 2 February 2018, by recorded delivery and signed for by him. The ish date in terms of the Notice to Quit was 9 April 2018. No further contractual tenancy is in place.

3. The Applicant has notified the local authority of the raising of proceedings, in terms of s.11 of the Homelessness etc. (Scotland) Act 2003.

- Reasons for Decision

The requirements of s.33(1) having been met by the Applicant, the Tribunal must grant the order sought.

### 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.**

Nairn Young

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**Legal Member/Chair**

**Date**

7 / 8 / 18