



DECISION AND STATEMENT OF REASONS OF THE FIRST-TIER TRIBUNAL FOR SCOTLAND

Under Rule 27 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”)

In respect of

33 Rosebank Drive, Cambuslang, Glasgow (“The Property”)

Applicant(s): Mr Jean Pierre Zammit, Mrs Pricilla Zammit c/o let-it, 123 Stockwell Street. Glasgow, G1 4LT

Respondent(s): Miss Kirsten Whyteside, Mr Ian McKay, 33 Rosebank Drive, Cambuslang, Glasgow, G72 8TD

Case Reference: HPC/CV/1761

At Glasgow on 13 January 2019, Andrew McLaughlin, Legal Member of the First-Tier Tribunal with delegated powers of the Chamber President, dismissed the above application in terms of Rule 27 of the Rules for the following reasons:

1. On 5 December 2019 the Tribunal wrote to the Applicants asking them either to confirm the up to date address of the Respondents or to request service by advertisement. The Applicants were informed that if this information was not supplied by 20 December 2019 then the Application may be rejected.
2. No further response has been received and accordingly the Tribunal has still neither been provided with an up to date address for the Respondents nor received a request for service by advertisement.
3. I consider that it is appropriate to dismiss the Application in terms of Tribunal Rule 27 (2) (a) which allows for an Application to be dismissed by the Tribunal if *“the applicant has failed to comply with an order which stated that failure by the applicant to comply with the order could lead to the dismissal of the proceedings or part of them.”* The Application is therefore dismissed.

NOTE: What you should do now.

If you accept this decision, there is no need to reply.

If you disagree with this decision you should note the following:

An applicant aggrieved by the decision of the Chamber President, or any Legal Member acting under delegated powers 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 seek permission to appeal within 30 days of the date the decision was sent to them.

Mr Andrew McLaughlin

Legal Member

13 January 2019