

**Housing and Property Chamber**  
First-tier Tribunal for Scotland



**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 (Act)**

**Chamber Ref: FTS/HPC/EV/19/0404**

**Re: Property at 129 Stonylee Road, Cumbernauld, G67 2LR (“the Property”)**

**Parties:**

**Ms Catherine Hunter, 2a Westmount Park, Newtonards, Co down, BT23 4BP (“the Applicant”)**

**Ms Deborah Cameron, 129 Stonylee Road, Cumbernauld, G67 2LR (“the Respondent”)**

**Tribunal Members:**

**Alan Strain (Legal Member)**

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

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

**Background**

This is an application for recovery of possession/eviction following termination of a Short Assured Tenancy (**SAT**) under section 33 of the Act.

The Tribunal had regard to the following documents:

1. Application received 7 February 2019;
2. SAT commencing 29 October 2013;
3. AT5 dated 29 October 2013;
4. AT6 dated 11 October 2018;
5. Section 11 Notice;
6. Notice to Quit dated 19 October 2018;
7. Section 33 Notice dated 19 October 2018;
8. Certificate of Service of all notices by Sheriff Officers.



## Case Management Discussion (CMD)

The case called for a CMD on 4 July 2019. The Applicant was represented by her solicitor. The Respondent did not appear and was not represented.

The Tribunal had regard to certificates of service by advertisement. The Tribunal was satisfied that the Respondent had service of the notification of the CMD and the fact that the Tribunal could determine matters in her absence if satisfied that it had sufficient information upon which to do so and that it was fair.

The Tribunal considered the documentary evidence and made the following findings in fact:

1. The Parties entered in to an SAT commencing 29 October 2013;
2. AT5 had been served prior to the creation of the SAT;
3. Notice to Quit, Section 33 Notice and AT6 had been served on 19 October 2018;
4. Section 11 Notice had been served on the local authority;
5. The SAT had reached its ish on 28 December 2018 and had been terminated;
6. Tacit Relocation was not operating.

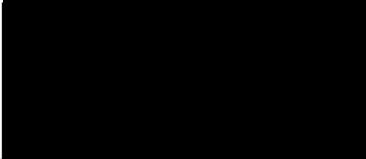
The Tribunal considered that it had sufficient information to determine the matter at this stage and that it was fair to do so. The Tribunal granted the order for eviction/recovery of possession.

## Decision

The Tribunal granted the order for recovery of possession/eviction.

## 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.**

  
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Legal Member/Chair

4 July 2019  
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Date