



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 26 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.

Chamber Ref:FTS/HPC/EV/18/2793

41b St Mary Street, Peterhead, Aberdeenshire, AB42 1TB ('the Property')

The Parties:

GMCR Properties Ltd ('Applicant')

Mr Tomas Bartnykas, Mrs Sandra Kunigelyte ('Respondent')

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal dismisses the application by the applicant dated 18th October 2018 under Tribunal Rule 109 being an application for eviction/possession.

The Tribunal sent the Applicant a Direction dated 20th March 2019 which requested further information to enable the application to be processed. In particular the Tribunal requested that the Applicant provide the Tribunal with a written response to their letter dated 18th February 2019. The Applicant was directed to provide the documentation requested by 10th April 2019. The Direction stated that: 'Failure to provide the said documentation could lead to the Tribunal dismissing the application made by the Applicant for an order for eviction/ possession under Tribunal Rule 109, dated 18th October 2018.'

Accordingly the Tribunal dismiss the application as the Applicant has failed to comply with the said Direction in terms of rule 27(2) of the Tribunal Rules.

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

