



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 18 of the Housing(Scotland)
Act 1988 (“the Act”)**

Chamber Ref: FTS/HPC/EV/19/3575

Re: Property at 31 Annette Street 2-3, Glasgow, G42 8YB (“the Property”)

Parties:

**Virhia Consulting Ltd, 52 Albert Road, Glasgow, G42 8DN (“the Applicant”) per
their agents G4 Properties (Glasgow) 52, Albert Road, Glasgow, G42 8DN**

**Miss Laura Pecican, 31 Annette Street 2-3, Glasgow, G42 8YB (“the
Respondent”)**

Tribunal Members:

Karen Moore (Legal Member)

1. By application received between 6 and 11 November 2019 (“the Application”) the Applicant’s Agents made an application to the Tribunal for a possession order in terms of Section 18 of the Act and in terms of Rule 65 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”).
2. The Application comprised copy of a short assured tenancy agreement between the Parties, copy AT5, copy AT6 and copy Notice to Quit all in the correct legal format and copy Notice in terms of Section 19 of the Act to Glasgow City Council being the relevant local authority, all with evidence of intimation.
3. On 25 November 2019, a legal member of the Tribunal with delegated powers of the Chamber President accepted the Application and a Case Management Discussion (“CMD”) was fixed for 22 January 2020 at the Glasgow Tribunal Centre, York Street, Glasgow. The CMD was intimated by both Parties.

Case Management Discussion

4. The CMD took place on 22 January 2020 at 10.00 at the said Glasgow Tribunal Centre. The Applicant was represented by Mr. Hassan of the Applicant’s Agents

and Respondent was present and unrepresented. The Respondent was assisted by a Romanian interpreter by telephone.

5. At the outset, I confirmed the interpreter's role with her and she undertook to interpret *verbatim*.
6. Mr. Hassan confirmed the Order sought and advised me that the rent due has increased since the Application was lodged. The Respondent agreed that the rent as claimed is due and owing and accepted that she was not in apposition to make payment. She advised me that she has young children and has no income or employment. Mr. Hassan advised me that the Applicant had offered the Respondent an arrears payment plan but that she had not kept to this arrangement. The Respondent agreed that this was the case and explained that she cannot pay as she has no income.

Findings in Fact

7. From the Application and the CMD, I found that a tenancy agreement existed between the Parties, that proper notice had been given by the Applicant to the Respondent, that grounds for possession had been established and that notice in terms of Section 19 of the Act had been properly intimated to the relevant local authority.

Decision and Reasons for Decision

8. Having found that the correct procedure followed and the grounds for possession being accepted by the Respondent, I had regard to Rule 17(4) of the Rules which states that the Tribunal "may do anything at a case management discussion which it may do at a hearing, including make a decision" and, accordingly, I determined to grant an Order for possession without further procedure.

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.

K Moore

Legal Member/Chair

Date

22 January 2020