Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber)

Chamber Ref: FTS/HPC/EV/22/3286

Re: Property at 9F CLOUDEN ROAD, CUMBERNAULD, G67 2JD ("the Property")

Parties:

MR PETER MUNRO, 82 UNION STREET, LARKHALL, ML9 1DR ("the Applicant")

MRS JULIE MOONEY, 9F CLOUDEN ROAD, CUMBERNAULD, G67 2JD ("the Respondent")

Tribunal Members:

Virgil Crawford (Legal Member) and Melanie Booth (Ordinary Member)

Decision (in absence of the Parties)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that

BACKGROUND

1. By lease dated 11th December 2014 the Applicant let the Property to the Respondent;

2. The lease is a short assured tenancy in terms of the Housing (Scotland) Act 1988 (the "1988 Act"), a form in terms of section 32 of the 1988 Act (commonly referred to as an AT5) having been served upon the Respondent prior to signing the lease;

3. A Notice to Quit and a Notice in terms of Section 33 of the 1988 Act were served upon the Respondent;

4. The Applicants presented an application to the Tribunal seeking an order for eviction of the Respondent from the Property;

CASE MANAGEMENT DISCUSSION

5. A Case Management discussion was assigned to take place by teleconference at 2pm on 13th January 2023. Neither party participated in the case management discussion.

6. In the circumstances, the Tribunal dismisses the application for want of insistence;

DECISION

The Tribunal dismisses the application

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.

13 January 2023

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Legal Member/Chair   **Date**