



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
ACT 2014**

Chamber Ref: FTS/HPC/CV/20/1504

Re: Property at 98 Minard Road, Flat 3/2, Glasgow, G41 2DL (“the Property”)

Parties:

**Redan Property Company Ltd, 2/2 1 SCHOLARS COURT, NEWTON MEARNES,
G77 6EJ (“the Applicant”)**

Ms Michaela Rothe, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Nicola Irvine (Legal Member)

Decision (in absence of either party)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) dismissed the application.**

Background

- [1] This was a case management discussion (CMD) in respect of an application for payment of rent arrears in the sum of £5,222.47.
- [2] By decision dated 26 November 2020, a Convener of the Tribunal, acting under delegated powers, referred the application to a CMD, in terms of Rule 9.
- [3] The notice of acceptance was intimated to the agents then acting for the Applicant by letter of 26 November 2020.
- [4] A CMD was assigned for 13 January 2021 and reference is made to the note of that CMD.

- [5] A further CMD was scheduled to take place today. Intimation was made directly to the Applicant. Intimation to the Respondent was made by advertisement on the Housing & Property Chamber website.
- [6] The CMD was convened by conference call at 2pm. Neither party participated in the CMD. In these circumstances, the Tribunal determined to dismiss the application.

Reason for Decision

- [7] Rule 27 of the Procedural Rules sets out :-

*(2) The First-tier Tribunal may dismiss the whole or part of the proceedings if the applicant has failed to-
....(b) co-operate with the First-tier Tribunal to such an extent that the First-tier Tribunal cannot deal with the proceedings justly and fairly.*

In the absence of either party's participation in the CMD, the Tribunal was unable to determine the application justly or fairly.

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.

N. I

Legal Member/Chair

2 March 2021

Date