



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

Chamber Ref: FTS/HPC/CV/22/3369

Re: Property at 4 Shiel Place, Irvine, North Ayrshire, KA12 9NG (“the Property”)

Parties:

Easton Property Merkland Limited, 2 Newfield Drive, Dundonald, South Ayrshire, KA2 9EW (“the Applicant”)

Ms Kim McCurdie, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Virgil Crawford (Legal Member)

Decision (in absence of the Respondent)

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

1. The Applicant raised an action against the Respondent seeking a payment order as a result of alleged rent arrears;
2. The Tribunal assigned a case management discussion to take place on 10th February 2023 at 2pm. The date and time of the case management discussion was intimated to all parties. In relation to the Respondents, it was intimated by advertisement on the Tribunal website;
3. No Party participated in the case management discussion. The case management discussion was assigned for 2pm on 10th February 2023. The Tribunal indulged the parties, waiting until 2.10pm before

convening the case management discussion. Neither party had contacted the Tribunal by that time;

4. In the circumstances, the Tribunal dismissed the application for want of insistence.

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.

V. Crawford

10 February 2023

Legal Member/Chair

Date