

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 33 of the Housing (Scotland) Act 1988

Chamber Ref: FTS/HPC/EV/18/1615

Re: Property at 241 Pittencrieff Street, Dunfermline, KY12 8AW (“the Property”)

Parties:

Kingdom Initiatives Limited, Saltire Centre, Pentland Court, Glenrothes, KY6 2DA (“the Applicant”)

Mr Jamie Marshall, 241 Pittencrieff Street, Dunfermline, KY12 8AW (“the Respondent”)

Tribunal Members:

Mark Thorley (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order against the Respondent(s) for possession of the Property under section 33 of the Housing (Scotland) Act 1988 be granted

Background

By application dated 27 June 2018 the Applicant applied to the Tribunal under Rule 66. The application was accompanied by a copy of the Short Assured Tenancy agreement dated 1 July 2015, Form AT5, Section 33 notice and notice to quit, Letter from Ms Simpson (tenant) dated 16 April 2018, Letter from Mr Marshall (tenant), Rent statement to 23 May 2018 and Notice to Local Authority dated 27 June 2018

The Case Management Discussion

Ms Morton Solicitor appeared on behalf of the applicant. There was no appearance by or on behalf of the Respondent. No written submissions had been made by the Respondent. Service of the papers on the Respondent had been made by sheriff officer on 26 July 2018.

Findings in Fact

The tenancy between the parties was constituted by the Tenancy Agreement dated 1 July 2015. The tenant Ms Kerri Simpson had vacated the property in November 2017.

The appropriate documents had been served on the tenant Mr Jamie Marshall to bring to an end the tenancy.

Reasons for Decision

All the appropriate documentation had been served on the remaining tenant Mr Jamie Marshall in order to bring to an end the tenancy.

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.

Mark Thorley

Legal Member/Chair

22 Aug 2018

Date