

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 18 of the Housing Act 1988**

Chamber Ref: FTS/HPC/EV/19/0880

Re: Property at 202 Norman Rise, Dedridge, Livingston, EH54 6NW (“the Property”)

Parties:

Mr Gavin Archibald, Mrs Gillian Archibald, 45 Crosswood Crescent, Balerno, EH14 7LX (“the Applicant”)

Mr Kevin Ellis, Ms Ashley Cloy, 202 Norman Rise, Dedridge, Livingston, EH54 6NW (“the Respondent”)

Tribunal Members:

Richard Mill (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an Order for Possession of the Property should be made in favour of the Applicants.

Findings of Fact

The Applicants are the landlords of the Property. The Respondents are the tenants in terms of a short assured tenancy agreement commenced on 5 October 2017. The rent was set at £620 per calendar month.

The Respondents have persistently failed to make and maintain their contractual rental payments.

Arrears of rent outstanding as at the date of application and at the date of the hearing amounted to more than 3 months. As at the date of the hearing fresh vouching was produced which shows outstanding rent of £2,648.46.

Reasons for Decision

The Tribunal is satisfied that all necessary documentary evidence has been produced by the Applicants and that a mandatory ground for recovery of possession exists. The Applicants attended the hearing personally and confirmed the circumstances orally. The Tribunal finds this evidence credible and reliable. There was no appearance by or on behalf of the Respondents who are aware of the application and hearing. None of this credible and reliable evidence is challenged.

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.



Legal Member/Chair

16 May 2019

Date