



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/22/3974

Re: Property at 20 Gindera Road, Montrose, DD10 8SU (“the Property”)

Parties:

Mr John Grimes, 19 Murray Lane, Montrose, DD10 8LF (“the Applicant”)

Mr William McDonald Jnr, Mrs Shannon McDonald, Mr William McDonald Snr, UNKNOWN, UNKNOWN; UNKINOWN, UNKNOWN; 16 Littlewood Gardens, Montrose, DD10 9LX (“the Respondents”)

Tribunal Members:

Nicola Irvine (Legal Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) allowed the application to be withdrawn.

Background

1. The Applicant submitted an application under Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017. The Applicant sought an order for payment in respect of rent arrears said to have been incurred by the Respondents.
2. Case management discussions (“CMD”) took place on 13 March 2023 and 24 August 2023. The Tribunal issued Notes summarising the CMDs to parties.

The case management discussion

3. The CMD took place by conference call. The Applicant was represented by Mr Robin Beattie. The Respondents did not join the conference call and the discussion proceeded in their absence. The Applicant's representative explained that settlement terms have been implemented and on that basis, the application was not insisted upon.

Decision

4. In terms of Rule 15, the Tribunal allowed the application to be withdrawn in circumstances where the settlement terms agreed between the Applicant and Third Respondent had been implemented.

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 Irvine

Legal Member/Chair

20 October 2023

Date