



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 “The Act”

Chamber Ref: FTS/HPC/EV/23/2741

Re: Property at 69 Fairview Drive, Danestone, Aberdeen, AB22 8ZL (“the Property”)

Parties:

Miss Carol Davidson, Mr Alexander Davidson, 1 Corunna Grove, Bridge of Don, Aberdeen, AB23 8FA (“the Applicant”)

Mr Andrew Curwin, 69 Fairview Drive, Danestone, Aberdeen, AB22 8ZL (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Elaine Munroe (Ordinary Member)

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) allowed the Application to be withdrawn.

[2] The Application called for a Case Management Discussion (CMD) by conference call at 2pm on 15 November 2023. The Applicant was represented by Mr Kingdon of Peterkins LLP. The Respondent had received service of the Application by means of service by Sheriff Officers. The Respondent was not present at the CMD. The Tribunal decided to proceed in his absence.

[3] Mr Kingdon sought and was allowed to withdraw the Application. A separate Application for an Eviction Order under ground 12A was also now being sought in a separate Application which he intended to proceed with instead of this Application.

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

15 November 2023

Date