



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

Chamber Ref: FTS/HPC/EV/23/3849

Re: Property at 12 Moorfoot Place, Irvine, North Ayrshire, KA11 1JP (“the Property”)

Parties:

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

Mr Christopher Paton, 12 Moorfoot Place, Irvine, North Ayrshire, KA11 1JP (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member) and Angus Lamont (Ordinary Member)

Decision (in absence of the Parties)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Application should be dismissed for want of insistence.

Statement of Reasons

1. This Application called for its Case Management Discussion by teleconference call on 14 February 2024. Neither party attended.
2. In this Application the Applicant seeks an eviction order. The Case Management Discussion was fixed in December 2023, with notification of the joining details issued to the parties on 20 December 2023.
3. The Tribunal clerk made several attempts to contact the Applicant’s Representative during the CMD in order to identify whether there was any issue with the teleconference, but those attempts were unsuccessful.

4. In the circumstances, the Tribunal determined that the Application should be dismissed 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.

Andrew Upton

14/02/2024

Legal Member/Chair

Date