



**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**

Chamber Ref: FTS/HPC/EV/23/4463

Re: Property at 34 West Thornlie Street, Wishaw, ML2 7AR (“the Property”)

Parties:

**REWD LPB Limited, REWD Group HQ, Unit 4, Barons Court, Grangemouth, FK3 8BH
 (“the Applicant”)**

**Miss Carla Alemanno, 34 West Thornlie Street, Wishaw, ML2 7AR (“the
Respondent”)**

Tribunal Members:

Mark Thorley (Legal Member) and Ahsan Khan (Ordinary Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the application be refused.**

Background

1. The applicant applied to the First-tier Tribunal on 12 December 2023. The application was under ground 12(a) namely that there were substantial rent arrears in respect of the property. It was alleged that at 21 November 2023 the sum of £3,880 of arrears had accrued on a monthly rental of £395 per month.

2. Accompanying the application was a significant amount of documentation:

- (i) Notice to Leave dated 1 November 2023.
- (ii) Rent Payment Schedule appended to Notice to Leave.
- (iii) Sheriff Officers’ Certificate of Execution of Notice to Leave dated 2 November 2023.
- (iv) Pre-action letter dated 4 December 2023.
- (v) Updated Rent Payment Schedule appended to letter of 4 December 2023.
- (vi) Proof of postage and delivery of the pre-action letter and updated Rent Payment Schedule.
- (vii) Second pre-action letter dated 11 December 2023.

- (viii) Proof of postage and delivery of second pre-action letter.
- (ix) Section 11 Notice to Local Authority dated 11 December 2023.
- (x) Evidence of Section 11 Notice to Local Authority.
- (xi) Copy Tenancy Agreement

3. The application was accepted for determination on 15 February 2024.
4. The application was served by Sheriff Officer on 26 April 2024 by depositing.

Case Management Hearing 5 June 2024

1. At the case management hearing no parties attended.
2. Agents acting on behalf of the applicant had withdrawn on 6 February 2024.
3. The Tribunal did not have contact details for the applicant.

Findings in Fact

1. The parties entered into a Tenancy Agreement for the rental of the property at 34 West Thornlie Street, Wishaw ML2 7AR.
2. No parties attended at the case management hearing on 5 June 2024.

Reasons for decision

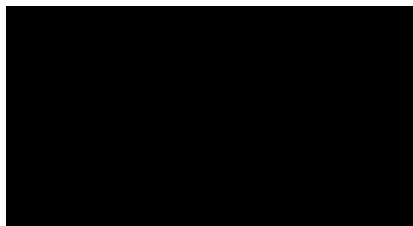
No parties attended at the hearing. No representations had been made. There was no contact detail for the applicant. The Tribunal were unable to confirm whether the applicant wished to proceed with the matter and in the circumstances dismissed the application.

Decision

The application be refused.

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.



M.Thorley

5th June 2024

Legal Member

Date

