



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/24/1294

Re: Property at Flat 2/1, 30 Garry Street, Cathcart, Glasgow, G44 4AX (“the Property”)

Parties:

James Laird (Gold Beaters) Ltd, 18 Craig Road, Cathcart, Glasgow, G44 3DW (“the Applicant”)

Ms Abiola Emanuel, Flat 2/1, 30 Garry Street, Cathcart, Glasgow, G44 4AX (“the Respondent”)

Tribunal Members:

Mary-Claire Kelly (Legal Member) and Ann Moore (Ordinary Member)

Decision in absence of the parties

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to dismiss the application for want of insistence.

1. By application dated 15 March 2024 the applicant sought an order for eviction relying on ground 1 in schedule 3 of the Private Housing (Tenancies) (Scotland) Act 2016 (landlord intends to sell)
2. A case management discussion (cmd) was assigned for 12 September 2024 by teleconference.
3. Neither party attended the teleconference.
4. The Tribunal noted that the applicant had been provided with written confirmation of the date of the cmd together with instruction for joining the call by letter dated 9 August 2024. The letter had been emailed to the email address provided to the Tribunal.

5. The Tribunal was satisfied that the respondent had been properly served with notification of the cmd by Sheriff Officers letterbox delivery in terms of rule 24.
6. The Tribunal requested that the clerk attempt to call the applicant on the telephone number they had provided. There was no answer and the calls went to voicemail.
7. In the absence of parties, the Tribunal determined to dismiss the application for want of insistence.

Decision

Application 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.

M-C Kelly

Legal Member/Chair

12 September 2024
Date