

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014

Chamber Ref: FTS/HPC/CV/24/3338

Re: Property at Flat 3/2, 664 Alexandra Parade, Glasgow, G31 3LH (“the Property”)

Parties:

Easilet Investments, 104 Bellgrove Street, Dennistoun, Glasgow, G31 1AA (“the Applicant”)

Ms Karen Savage, Konstantin Kadotsenko, James Gayle, 39 Colney Road, Dartford, DA1 1TX; Unknown, Unknown, Unknown; 39 Colney Road, Dartford, DA1 1TX (“the Respondent”)

Tribunal Member:

Alan Strain

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application be dismissed in terms of Rule 27 of the Tribunal Rules of Procedure.

Background

This is an application under Rule 70.

The Applicant failed to supply an up to date address for the Respondent or an application for Service by Advertisement as required by the Tribunal.

The Tribunal wrote to the Applicant by email of 4 March 2025 in the following terms:

“The Tribunal is unable to process this case further as you have failed to provide an up to date address for both Respondents or an application for Service by Advertisement together with a negative trace report or the new address of the second Respondent. Without this the application cannot be served on both Respondent. You have been advised that the failure to provide this may result in the application being rejected. You now have three options and are ordered by the Tribunal

to ensure that you chose one of the options below. This constitutes an order under Rule 27 of the Rules of Procedure (set out below) :

1. Either you provide the up to date address or 2. You amend the application to be directed only at the Respondent for whom you have provided an up to date address or 3. You apply for Service by Advertisement under rule 6A of the Rules of Procedure together with a negative trace report.

If you do not comply with the above options then the application will be dismissed under rule 27 and the decision will be published in the Tribunal's decision register."

The Applicant was given until 11 March 2025 to provide the requested information. No information or response was forthcoming.

Decision and Reasons

The Applicant had been put on notice by the Tribunal on 4 March 2025 that if the requested information was not provided by 11 March 2025 then the application would be dismissed under Rule 27. No information was provided or response received.

The Tribunal accordingly dismiss the 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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

Alan Strain

14 March 2025

Legal Member/Chair

Date