



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/24/2207

Re: Property at 0/1, 14 Muirpark Street, Partick, Glasgow, G11 5NP (“the Property”)

Parties:

Mrs Zoe Fance, 34 Cairn Crescent, Ayr, KA7 4PW (“the Applicant”)

Miss Amy Brown, 0/1, 14 Muirpark Street, Partick, Glasgow, G11 5NP (“the Respondent”)

Tribunal Members:

Andrew Cowan (Legal Member) and Gerard Darroch (Ordinary Member)

Decision (in absence of the Applicant)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to refuse the Application for an eviction order.

Background

1. This is an application by the Applicant for an eviction order in relation to a Private Residential Tenancy (“PRT”) in terms of rule 109 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 as amended (“the Rules”). The PRT had been granted by the Applicant to the Respondent commencing on 6th June 2018.
2. The application was submitted to the Tribunal on 1st July 2024.

The Case Management Discussion

3. The matter called for a case management discussion (“CMD”) of the First-tier Tribunal for Scotland Housing and Property Chamber, conducted by remote telephone conference call, on 28th April 2025.
4. The Applicant did not join the conference call. The Respondent joined the conference call and explained that she had vacated the Property on 21st April 2025. The Respondent confirmed that the Applicant was aware that the Respondent had left the Property. The Applicant had inspected the Property at the time the Respondent had vacated the Property.

Findings in Fact and Law

5. The Applicant let the Property to the Respondent under a Private Residential Tenancy which commenced on 3rd December 2021 (“the Tenancy”).
6. The Respondent has now vacated the Property, and the Tenancy is at an end.

Reasons for Decision

7. The tenancy between the parties has been legally terminated. The Applicant has not sought to withdraw the application. In all circumstances, the Tribunal has determined to refuse the Application for an eviction order.

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 Cowan

Legal Member/Chair

12th May 2025

Date