



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/24/4280

Re: Property at 3 Gillespie Crescent, Perth, PH1 2QU (“the Property”)

Parties:

Ms Bernadette Duncan, Ms Marian Thomas, 102 High Street, Newburgh, Cupar, KY14 6DA (“the Applicant”)

Mrs Patricia Bradley, Mr Richard Bradley, 3 Gillespie Crescent, Perth, PH1 2QU (“the Respondent”)

Tribunal Members:

Mary-Claire Kelly (Legal Member) and Gerard Darroch (Ordinary Member)

Decision (in absence of the Applicants and Respondents)

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 20 September 2024 the applicants sought an order for repossession relying on ground 1 (landlord intends to sell) in schedule 3 of the Private Housing (Tenancies)(Scotland) Act 2016.
2. A case management discussion was scheduled to take place via teleconference on 29 April 2025.
3. Letters notifying the applicants’ representative of the case management discussion and providing details of how to participate in the teleconference were sent to the applicants’ representative on 22 February 2025.
4. A copy of the case papers was served on the respondents by Sheriff Officers on 25 February 2025.
5. Neither party attended the case management discussion. The Tribunal Clerk telephoned the applicants’ representative to check if they were going to join the teleconference. They were unable to get through on the number provided. The Tribunal waited for 15 minutes to see anyone would attend the teleconference.
6. Given the non attendance of the applicants or their representative the Tribunal determined to dismiss the application 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.

Mary-Claire Kelly

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Legal Member/Chair

29 April 2025
Date