



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 33 of the Housing (Scotland)  
Act 1988**

**Chamber Ref: FTS/HPC/EV/24/2234**

**Re: Property at 24 Skelmorlie Place, Kilwinning, North Ayrshire, KA13 6SQ (“the  
Property”)**

**Parties:**

**Mr Kyle Reid, 14 Eden Court, Kilwinning, North Ayrshire, KA13 6QW (“the  
Applicant”)**

**Ms Kelly Jackson, 24 Skelmorlie Place, Kilwinning, North Ayrshire, KA13 6SQ  
 (“the Respondent”)**

**Tribunal Members:**

**Mary-Claire Kelly (Legal Member) and Tony Cain (Ordinary Member)**

**Decision (in absence of the Applicant and Respondent)**

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

1. By application accepted on 22 October 2024 the applicant sought an order for repossession relying on section 33 of the Housing (Scotland) Act 1988.
2. A case management discussion (“cmd”) was scheduled to take place via teleconference on 21 January 2025.
3. Papers were served on the respondent by Sheriff Officers on 9 December 2024.
4. The Tribunal granted a request by the respondent to postpone the cmd. A fresh cmd was scheduled for 21 May 2025.

5. Letters notifying the parties of the case management discussion and providing details of how to participate in the teleconference were sent to the applicant's representative and the respondent by email on 22 February 2025.
6. Neither party attended the case management discussion. The Tribunal Clerk telephoned the applicant to check if they were going to join the teleconference. The applicant was provided again with the details to join the teleconference. The applicant stated that they would join the teleconference however they failed to do so. The Tribunal Clerk telephoned the respondent to check if they were going to join the teleconference. The respondent stated that she had moved out of the property and had emailed the Tribunal to advise them of that. She was provided with details to join the teleconference.
7. The Tribunal waited for 40 minutes to see anyone would attend the teleconference.
8. Given the non-attendance of the applicant 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.**

**M C Kelly**

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**Legal Member/Chair**

**21 May 2025**  
**Date**

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