

Housing and Property Chamber

First-tier Tribunal for Scotland



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 and Rule 27 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017

Chamber Ref: FTS/HPC/EV/25/0729

Re: Property at 27 Holmhead Road, Glasgow G44 3AR (“the Property”)

Parties:

Mrs Yasmeen Bashir, 15 Deaconsgrange Road, Glasgow G46 7UL (“the Applicant”) and

Mr Suhail Rehman, formerly residing at 27 Holmhead Road, Glasgow G44 3AR and whose current address is unknown (“the Respondent”)

Tribunal Members:

G McWilliams- Legal Member

S Brydon- Ordinary Member

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) decided to dismiss the Application in terms of Rule 27 (2) (b) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the 2017 Rules”)

Background, Case Management Discussion and Reasons for Decision

- 1. This Application, contained in papers lodged with the Tribunal, was brought in terms of Rule 109 (Application for an eviction order) of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the 2017 Rules”).**
- 2. A Case Management Discussion (“CMD”) proceeded remotely by telephone conference call at 10am on 3rd November 2025. The Applicant and the Respondent did not attend. The Tribunal noted that the details of the CMD had been sent by email to the Applicant on 22nd September 2025. The Tribunal also noted that Sheriff Officers were unable to serve the Application papers, and notification of the CMD, upon the Respondent. The Sheriff**

Officers, in their reporting letter sent to the Tribunal's office, on 24th September 2025, stated that when they attempted service they were told by the Applicant that the Respondent had vacated the Property and that she had changed the Property's locks. After receipt of the Officers' letter the Tribunal's office sent emails to the Applicant, on 10th October 2025 and 29th October 2025 and asked her to confirm whether or not she wished to withdraw the Application. The Applicant has not replied to the Tribunal's office's emails.

3. Rule 27 (2) (b) of the 2017 Rules provides that the Tribunal may dismiss the whole or part of the proceedings if the Applicant has failed to co-operate with the Tribunal to the extent that the Tribunal cannot deal with the proceedings justly and fairly.
4. The Applicant did not attend the CMD today. She has not made any contact with the Tribunal's office in advance of the CMD to intimate that she would, or could, not attend. In the circumstances the Tribunal decided that the Applicant has not co-operated with the Tribunal to the extent that they cannot deal with the Application justly and fairly. Accordingly, the Tribunal has determined to dismiss the Application in terms of Rule 27 (2) (b) of the 2017 Rules.

Outcome

5. The Tribunal dismisses 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.

Gerald McWilliams

G McWilliams Tribunal Legal Member

Date: 3rd November 2025