

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 51 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 (“The Act”)

Chamber Ref: FTS/HPC/EV/25/2213

Re: Property at 3 Kilmaurs Street, Glasgow, G51 4UF (“the Property”)

Parties:

Mr John Paul Davenport, 227 Glen Moriston Road, East Kilbride, Glasgow, G53 7HT (“the Applicant”)

Ms Kymberlee Black (SBA), Mr Martin Johnston, UNKNOWN, UNKNOWN; 10 Lochwood Street, Glasgow, G33 1BG (“the Respondent”)

Tribunal Members:

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

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) allowed the Application to be withdrawn.

[2] When this Application called as a Case Management Discussion by conference call at 10am on 28 November 2025, the Applicant’s representative, Ms Martha Thomson, invited the Tribunal to allow the Application to be withdrawn. Mr Martin Claffey joined the call and explained that he was formerly known as Martin Johnston until 2012. There was no appearance by Ms Black on whom service had been effected by advertisement on the Tribunal website. Mr Claffey raised some queries about the rights and wrongs of the content of the Application and the history of the tenancy, but the Tribunal decided to allow the Application to be withdrawn and suggested that Mr Claffey could correspond with the Applicant or his solicitor about those issues privately.

[3] But there was no reason not to allow the Application to be withdrawn. The Application was therefore withdrawn.

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.

A McLaughlin

Legal Member/Chair

Date: 28 November 2025