

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 of the Private Housing (Tenancies)(Scotland) Act 2016

Chamber Ref: FTS/HPC/EV/24/4085

Re: Property at 251 Kingsbridge Drive, Rutherglen, Glasgow, G73 2BW (“the Property”)

Parties:

Mr Rashid Ahmad, 41 Bruce Avenue, Glasgow, G72 8SX (“the Applicant”)

Miss Iacob Aranko, 251 Kingsbridge Drive, Rutherglen, Glasgow, G73 2BW (“the Respondent”)

Tribunal Members: Gabrielle Miller (Legal Member) and Elizabeth Williams (Ordinary Member)

Decision (in absence of the Applicant and the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be dismissed.

Background

1. An application was received by the Housing and Property Chamber dated 3rd September 2024. The application was submitted under Rule 109 of The First-tier for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the 2017 Regulations”). The application was based on grounds 5, 11 and 12 of the Private Housing (Tenancies) (Scotland) Act 2016.
2. On 30th July 2025, all parties were written to with the date for the Case Management Discussion (“CMD”) of 10th September 2025 at 10am by teleconferencing. The letter also requested all written representations be submitted by 20th August 2025.
3. On 31st July 2025, sheriff officers served the letter with notice of the hearing date and documentation upon the Respondent by leaving it in the hands of Yacob Augstin (the Respondent’s nephew). This was evidenced by Certificate of Intimation dated 31st July 2025.

4. On 2nd September, the Applicant's solicitor's office emailed the Housing and Property Chamber to request a postponement due to the Applicant's solicitor having taken unwell and there being no other qualified person in the office to substitute for him. The Tribunal granted the postponement.
5. On 19th December 2025, all parties were written to with the date for the Case Management Discussion ("CMD") of 29th January 2026 at 10am by teleconferencing.

The Case Management Discussion

6. A CMD was held on 29th January 2026 at 10am by teleconferencing. Neither the Applicant nor the Respondent were present or represented. There was no explanation why the Applicant, in particular, was not present or represented. At on or around 10.10 am the Tribunal Clerk telephoned the Applicant's solicitor to confirm if the Applicant wished to proceed with the application. There was no answer as the number. A message was left on the answerphone. The Tribunal waited until 10.20am but neither party joined the CMD.
7. The Tribunal dismissed the case as it was not clear that the Applicant wished to rely on the matters within the case.

Decision

8. The application was dismissed as it was not clear that the Applicant wished to rely on the case proceeding.

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.

Gabrielle Miller

29th January 2026

Legal Member/Chair

Date