



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/EV/25/0655

**Re: Property at 8 Hillcrest Drive, Stevenston, North Ayrshire, KA20 3AW (“the
Property”)**

Parties:

**Mr Eric Brown, Woodhead Lodge, Sorn, East Ayrshire, KA5 6NG (“the
Applicant”)**

**Kelly Mulvey, 8 Hillcrest Drive, Stevenston, North Ayrshire, KA20 3AW (“the
Respondent”)**

Tribunal Members:

Shirley Evans (Legal Member) and Angus Lamont (Ordinary Member)

Decision (in absence of both parties)

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

Background

1. This is an action for eviction raised in terms of Rule 66 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Regulations”).
2. The matter called for a Case Management Discussion (“CMD”) on 2 February 2026. Both parties were in attendance. After hearing parties, the Tribunal continued the CMD to allow the Respondent to move out of the Property to a new tenancy that she had been offered by the Local Authority.

3. The Tribunal assigned a continued CMD to proceed on 15 April 2026. On 2 March 2026 the Tribunal advised parties of the date of the continued CMD.

Continued Case Management Discussion

4. The Tribunal proceeded with the CMD on 15 April 2026 at 2 pm. There was no appearance by or on behalf of either the Applicant or the Respondent despite the Tribunal keeping the conference call line open until 2.15pm.

Reasons for Decision

5. The Tribunal noted the terms of the letters to parties of 2 March 2026 that the CMD would proceed on 15 April 2026 at 2 pm. The Tribunal also noted that both parties were advised in the letters that the Tribunal could do anything at the CMD which it could do at a hearing including making a decision on the application. The Tribunal further noted that parties were both advised that if they did not attend the CMD this would not stop a decision or order being made by the Tribunal. The Tribunal was satisfied that both parties were aware that the CMD would proceed on 15 April 2026.
6. The Tribunal, in the absence of the Applicant or any representative from the Applicant and in the absence of the Respondent or any representative from the Respondent, had no up to date information before it to determine the case. It had no information as to assess whether the Respondent had moved out and if not whether the ground of eviction had been established and if so whether it was reasonable to evict.

Decision

7. The Tribunal dismissed the application in the absence of both parties. The decision of the Tribunal was unanimous.

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.

Shirley Evans

Legal Chair

15 April 2026

Date