

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/CV/25/4690

Re: Property at 58 Blackbyres Court, Barrhead, Glasgow, G78 1UT (“the Property”)

Parties:

Mrs Abiola Olukoya, 52 Glenvila Circle, Paisley, PA2 8TS (“the Applicant”) and

Mr Adam Sampson, 3 0/2 Deanbrae street, Glasgow, G71 7JR (“the Respondent”)

Tribunal Member:

G McWilliams (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) dismisses this 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 111 of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the 2017 Rules”) (Application for civil proceedings in relation to a private residential tenancy) for an order for payment in respect of rent arrears and damages.
2. A Case Management Discussion (“CMD”) proceeded remotely by telephone conference call at 2pm today 27th August 2026. The Applicant and the Respondent did not attend. No representatives attended. The Tribunal noted that the Applicant’s previous Representative had withdrawn from acting for her on 26th August 2026. In their email to the Tribunal’s office sent on that date the Representative had said that the Applicant had the Application papers and

details of the CMD. The Tribunal also noted that Sheriff Officers had been unsuccessful in their attempts to serve the Application papers, and notification of the CMD, upon the Respondent and this had been done by advertisement on the Tribunal's website between 31st July 2026 and 26th August 2026.

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 at the CMD today. They did not make any contact with the Tribunal's office in advance of the CMD to intimate that they 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.

G McWilliams Tribunal Legal Member

Date: 27th August 2026