



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 51(1) of the Private Housing
(Scotland)(Tenancies) Act 2016**

Chamber Ref: FTS/HPC/EV/26/0057

Re: Property at G/L, 1 Annfield Street, Dundee, DD1 5LW (“the Property”)

Parties:

**Mr Neal Graham, PO Box 644877, Redwood Park TH44, Jumeirah Golf Estates,
Dubai, United Arab Emirates (“the Applicant”)**

Mr Kamsi Okwu, G/L, 1 Annfield Street, Dundee, DD1 5LW (“the Respondent”)

Tribunal Members:

Evan Crainie (Legal Member) and Mary Lyden (Ordinary Member)

Decision (in absence of the Parties)

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

Background

1. By application made under Rule 109 on 7 January 2026, the Applicant sought an eviction order under ground 12 (“the Application”). The Applicant’s representative lodged copy tenancy agreement commencing on 22 September 2023, copy Notice to Leave, rent statement, and copy correspondence with the Respondent.
2. The application and notice of a Case Management Discussion (“CMD”) was served upon the Applicant’s representative by email on 8 August 2026.
3. The application and notice of a CMD was served upon the Respondent by Sheriff Officer on 11 August 2026.

The CMD

4. A CMD was set down to take place by telephone conference on 21 September 2026. Neither party attended. An attempt was made by the Tribunal Clerk to

contact the Applicant's representative at the request of the Tribunal. The Tribunal Clerk spoke to a receptionist at the Applicant's representative as the named representative noted in the papers was unavailable as they were attending a meeting. The receptionist confirmed that the Respondent had vacated the Property and therefore the case was to be withdrawn.

5. No application to withdraw the Application had been received at the time of the CMD. The Tribunal decided to dismiss the application on the basis that the Applicant, by failing to (i) notify the Tribunal that the Application could be withdrawn prior to the CMD; and (ii) attend or be represented at the CMD, had failed to co-operate with the Tribunal to such an extent that the Tribunal could not deal with the proceedings justly and fairly.

Decision

6. The Application is dismissed.

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.

Evan Crainie

21st September 2026

Legal Member/Chair

Date