

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(1) of the Private Rented (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/19/0288

Re: Property at 39 Broomside Terrace, Edinburgh, EH12 7LZ (“the Property”)

Parties:

Mr Lendrick Gillies, 132 St John's Road, Edinburgh, EH12 8AX (“the Applicant”)

Mrs Judith Cooper, 39 Broomside Terrace, Edinburgh, EH12 7LZ (“the Respondent”)

Tribunal Members:

Colin Dunipace (Legal Member)

Decision

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

By application dated 28 January 2019 the applicant applied to the Tribunal under Rule 111. This Application was accompanied by a copy of the Tenancy Agreement dated 1 August 2018 together with a copy of a rent statement as at 23 January 2019. The Applicant had previously provided confirmation that Coulters Letting Ltd could act on his behalf.

The matter had previously called for a Case Management Discussion on 2 April 2019, when there had been no appearance or on behalf of either the Applicant or the Respondents. The matter had been adjourned at that stage and the parties advised that in the event that there was a further failure to appear that the case may be dealt with in their absence. The matter was accordingly adjourned until 15 May 2019 and this date was properly intimated to both the Applicant and the Respondent.

The case called again before me on 15 May 2019. Again neither the Applicant nor the Respondent were present or represented. Neither party had been in

contact with the Tribunal to indicate that they had any difficulty in attending. Given that I was satisfied that the date had been properly intimated I determined that in the absence of the parties that this Application should be dismissed.

Decision

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.

Colin Dunipace

Legal Member.

Date

18/5/19