



**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/CV/19/1532**

**Re: Property at 21A North Street, Peterhead, Aberdeenshire, AB42 1JS (“the  
Property”)**

**Parties:**

**Mr Chris Rigby, 46 Bon Accord Street, Aberdeen, AB11 6EL (“the Applicant”)**

**Ms Shannon Miller, 21A North Street, Peterhead, Aberdeenshire, AB42 1JS  
 (“the Respondent”)**

**Tribunal Members:**

**Gillian Buchanan (Legal 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 Applicant’s application should be dismissed.

At the Case Management Discussion on 16 July 2019 at 12noon (“the CMD”) neither of the parties appeared or were represented.

The Tribunal made enquiries.

- On 12 July 2019 at 7.26am the Tribunal office had emailed the Applicant’s representative, Mr Alasdair Bain of Trinity Factoring Services Limited, with a letter dated 12 July 2019 intimating that the period for the Respondent lodging written representations in response to the application had expired with no response having been received. The letter referred to the CMD.
- Mr Bain subsequently emailed the Tribunal office on 16 July at 9.01am indicating that none of the prior correspondence from the Tribunal office had referred to the CMD and asking that the CMD be rescheduled as it was too short notice to attend.

- The Tribunal noted that on 10 June 2019 the Tribunal office wrote to Mr Bain at Trinity Factoring Services Limited, 209/211 Bruntsfield Place, Edinburgh, EH10 4DH regarding various matters and intimating that the CMD would take place on 16 July 2019 at 12noon. That letter was sent by recorded delivery post and was signed for.

The Tribunal was satisfied that Mr Bain on behalf of the Applicant was aware of the CMD. He was not in attendance.

The Tribunal determined that the application should therefore be 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.**

G Buchanan

  
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Legal Member/Chair

10 July 2019.  
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Date