



Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 18(1) of the Housing
(Scotland) Act 1988

Chamber Ref: FTS/HPC/EV/19/1579

Re: Property at Flat C, 19 Millhill, Musselburgh, EH21 7RH (“the Property”)

Parties:

Hartfield Homes Musselburgh Ltd, Pentland House, Damhead, Midlothian,
EH10 7DP (“the Applicant”)

Mr Bradley Cumming, Flat C, 19 Millhill, Musselburgh, EH21 7RH (“the
Respondent”)

Tribunal Members:

Mark Thorley (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order for possession of the Property be granted.

Background

The Applicant applied to the First Tier Tribunal for an order of possession of
the Property by way of application. Along with the application was submitted
Form AT6 and a copy of the tenancy agreement dated 7 November 2013. A
rent statement was also produced.

The Respondent made no written representations.

Case Management Discussion

At the Case Management Discussion the Respondents were represented by Mr
Carmichael and Ms Caldwell.

There was no appearance by or for the Respondent.

The rent outstanding has now increased to £5457.64. Rent was due to be paid at the rate of £500 per month. Accordingly there was more than 10 months rent due.

Findings in Fact

- 1 A tenancy existed between the parties dated 7 November 2013.
- 2 Rent was due to be paid at the rate of £500 per month.
- 3 Arrears of £5457.64 had accrued.
- 4 The order for possession should be granted.

Reasons for Decision

Arrears of more than 10 months rent was now outstanding. The Respondent had received all the necessary paperwork. No defence was stated and no challenge taken to the amount of arrears.

Decision

To grant the order for possession of the property.

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.

Mr Mark Thorley

Legal Member/Chair

19 July 2015

Date

*Insert or Delete as required