



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

Chamber Ref: FTS/HPC/EV/19/1819

**Re: Property at 106 Spruce Road, Abronhill, Cumbernauld, G67 3DS (“the
Property”)**

Parties:

**Mr Adrian Wilson, Mrs Angela Wilson, 43 Guthrie Court, Gleneagles Village,
Auchterarder, PH3 1SD; 43 Guthrie Court, Gleneagles Village, Auchterarder,
PH3 1SD (“the Applicants”)**

**Miss Chloe Cameron, 106 Spruce Road, Abronhill, Cumbernauld, G67 3DS
 (“the Respondent”)**

Tribunal Members:

Nairn Young (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that**

- Background

This is an application for an order for possession of the Property, which is let by the Applicants to the Respondent in terms of an assured tenancy. It called for case management discussion at 2pm on 9 August 2019. The Applicants were not present in person, but were represented by Ms Caldwell of TC Young Solicitors. The Respondent was not present or represented.

- Findings in Fact

1. The Respondent occupies the Property in terms of a short assured tenancy, the start date for which was 9 April 2017. The tenancy agreement specifies that rent is payable at the rate of £575 on the ninth day of each month. The agreement also specifies that the tenancy may be brought to an end on,

among others, Ground 8 of schedule 5 to the Housing (Scotland) Act 1988 ('the Act').

2. A form AT6 giving notice of the Applicants' intention to raise proceedings was served on the Respondent on 23 May 2019 by Sheriff's Officers. It specified that proceedings would be raised on the basis that, among others, Ground 8 would be established; and that such proceedings would not be raised before 7 June 2019. At the time of service, the Respondent was in arrears of rent of £2,897. This application was made on 13 June 2019.
3. By the date of the case management discussion, the arrears of rent had increased to £3,335.
 - Reasons for Decision
4. If the Tribunal finds that Ground 8 of Schedule 5 to the Act is established, it is obliged to make an order for possession. Having made that finding on the basis of the facts above, order for possession should accordingly be granted.
 - Decision

Order for Possession granted.

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.

Nairn Young

Legal Member/Chair

9 August 2019

Date