



**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/18/2504

Re: Property at 65 Knowhead Road, Kilmarnock, KA1 5EQ (“the Property”)

Parties:

Mr Alan Quinn, Mrs Eileen Quinn, 6 Edenhall Grove, Glasgow, G77 5TS (“the Applicant”)

Mr Matthew Conn, Ms Angie Speirs, 65 Knowhead Road, Kilmarnock, KA1 5EQ (“the Respondent”)

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondent)

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

Background

An Application was lodged by the Applicant’s solicitor on 31st August 2018 seeking eviction of the Respondents from the property. The Application was based on Rule 65 and sought eviction on Ground 8 of Schedule 5 to the Housing (Scotland) Act 1988 which is a mandatory ground of eviction. The application had to be returned for amendment as the AT6 which had been served on the Respondents did not mention Ground 8, and instead relied on Ground 12, which is a discretionary ground of eviction.

Along with the Application there was lodged:

1. Copy of the Short Assured Tenancy Agreement
2. Notice To Quit dated 28th June 2018
3. AT6 dated 29th June 2018

Reasons For Decision

The Applicants have established a ground for eviction in terms of the Housing (Scotland) Act 1988 it is reasonable to grant the order due to the level of arrears and the lack of contact by the Respondents to the Applicants, and their lack of engagement with this process.

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.

Ms Alison J Kelly

Legal Member/Chair

✓

Date

25/3/19