



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 33 of the Housing (Scotland)
Act 1988**

Chamber Ref: FTS/HPC/EV/19/2904

Re: 30 Fernlea Crescent, Annan DG12 6LS ("Property")

Parties:

**Sheona Margaret Houlston, Rivel Cottage, Ruthwell, Dumfries DG1 4NN
("Applicant")**

**Murray Little & Knox, Solicitors, 27 Bank Street, Annan DG12 6AU
("Applicant's Representative")**

Sophie Louise Latimer, 30 Fernlea Crescent, Annan DG12 6LS ("Respondent")

Tribunal Members:

Joan Devine (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber)
("Tribunal") determined that an order for possession of the Property should be
made.**

Background

The Applicant sought recovery of possession of the Property. The Applicant had lodged Form E. The documents produced were: Short Assured Tenancy Agreement signed by the Applicant and the Respondent dated 3 June 2015; Notice signed by the Applicant and the Respondent under section 32 of the Housing (Scotland) Act 1988 ("1988 Act") dated 27 May and 3 June 2015 ("AT5"); Notice to Quit and Notice in terms of Section 33 of the 1988 Act dated 2 July 2019 addressed to the Respondent; Sheriff Officer's execution of service evidencing service on the Respondent of the Notice to Quit and Section 33 Notice on 2 July 2019; notification to the Local Authority in terms of Section 11 of the Homelessness Etc. (Scotland) Act 2003 sent on 16 September 2019 and certificate of service by Sheriff Officer evidencing service of a letter from the First-tier Tribunal enclosing a full set of papers on the Respondent on 22 October 2019.

Decision

The Tribunal grants an 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.

Joan Devine

21 November 2019

Legal Member

Date