



**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/19/2914

Re: Property at 2/1 7 Broomhill Avenue, Glasgow, G11 7AE (“the Property”)

Parties:

**Mr Nitu Singh, Mr Tony Singh, 644 Crow Road, Glasgow, G13 1NN; 36
Somerset Way, Iver, Bucks, SL0 9AF (“the Applicant”)**

**Miss Gaynor Cameron, Mr Alistair Fairlie, 2/1, 7 Broomhill Avenue, Glasgow,
G11 7AE (“the Respondent”)**

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision

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

- This matter called for a Case Management Discussion at 10 am on 12 November 2019 in Glasgow Tribunals Centre, Room 107, 20 York Street, Glasgow, G2 8GT.
- The Applicants were represented by Mr Kamil Olas, of KPM Residential Ltd. The Second Respondent, Mr Alistair Fairlie was present.
- Mr Olas invited the Tribunal to make an Eviction Order as sought in the Application. Mr Fairlie invited the Tribunal to decline to grant the Application or to delay matters.
- The Tribunal noted that there was a short assured tenancy between the applicants which had been lodged together with the relevant form AT5 served in accordance with s32 (2) of the Housing (Scotland) Act 1988. The tenancy was for an initial period of ten months from 7 November 2017 until 7 September 2018 and thereafter continued on a month to month basis.
- The Applicants had served a Notice to Quit and s33 Notice by Sheriff Officers on the Respondents on 2 July 2019 specifying that the tenancy would end on 7 September 2019. This date coincided with the ish date of the tenancy. The

Applicants had also provided the local authority with the requisite notice under s11 of the Homelessness etc. (Scotland) Act 2003.

- It was apparent from the representations made by the parties that there was no dispute regarding these facts which set out the basis of the Application or the validity of the notices served.
- Accordingly the Tribunal considered that in respect of s33 (1) of the Housing (Scotland) Act 1988, it was bound to grant the Application as sought.
- The Tribunal granted the Application and made an Eviction Order.

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.

Andrew McLaughlin
Legal Member/Chair

12/11/19
Date