



**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/18/2953

Re: Property at Flat 3/2, 198 Calder Street, Glasgow, G42 7PE (“the Property”)

Parties:

Mr William McLean, 185 Conygre Grove, Filton, Bristol, BS34 7HZ (“the Applicant”)

Mr Balbir Ram, Flat 3/2, 198 Calder Street, Glasgow, G42 7PE (“the Respondent”)

Tribunal Members:

Patricia Anne Pryce (Legal Member)

Decision in absence of the Respondent

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that it would grant an order for possession in respect of the property.

- Background

This decision should be read along with the Notes on the Case Management Discussion of 24 January 2019 which provides the full background to this case.

- The Case Management Discussion (CMD)

The Applicant was not present at the CMD but was represented by Mr Cunningham, solicitor. The Respondent was not present nor was he represented at the CMD.

- Findings in Fact

1. The Applicant is the owner of the Property.

2. The Respondent entered into a short assured tenancy with a date of entry of 5 April 2017.
 3. The Applicant purchased the Property and confirmed the assignation of his right as landlord in the tenancy.
 4. Since the Applicant intimated his right in the tenancy, the Respondent has not made a payment of rent to the Applicant.
 5. The rent per calendar month is £357.50.
 6. The arrears of rent at the date of the CMD amounted to £7,865.
 7. The arrears at the date of service of the AT6 amounted to £6,077.50.
- Reasons for Decision

The Applicant sought to rely on Ground 8 of Schedule 5 of the 1988 Act for possession. There were at least three months' arrears of rent due both at the date of service of the AT6 and at the date of the CMD. The criteria for Ground 8 had been met.

- Decision

The Tribunal determined to grant an order for possession.

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.

Patricia Anne Pryce

4 March 2019

Legal Member/Chair

Date