



**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/18/3015

Re: Property at 17 Drumine Road, Forres, IV36 1HX (“the Property”)

Parties:

Mr Robert Patience, 5 Main Street, New Elgin, Elgin, IV30 6BQ (“the Applicant”)

Ms Michelle Owens, 17 Drumine Road, Forres, IV36 1HX (“the Respondent”)

Tribunal Members:

Mark Thorley (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for possession of the property at 17 Drumine Road, Forres, IV36 1HX be made.

By application dated 5 November 2018 the Applicant applied to the Tribunal under Rule 70. The application was accompanied by a copy lease dated 1 and 3 August 2018, copy AT5, copy Notice to Quit, Copy Notice of Proceedings, copy breakdown of arrears and copy AT6. A copy title sheet was subsequently produced and also a section 11 notice.

No response was received from the Respondent.

The Case Management Discussion (CMD)

At the CMD the Applicant appeared. There was no appearance by or on behalf of the Respondent.

M. Thorley

Papers intimating the application and the date of the CMD had been served on the Respondent.

Findings in Fact

1 The tenancy between the parties was constituted by Tenancy Agreement dated 1 and 3 August 2018.

2 The tenancy had been brought to an end and the paperwork was all in order

3 The Respondent had received all relevant paperwork

Reasons for Decision

All the paperwork was in order and the Applicant had brought the tenancy to an end

The Respondent did not attend the CMD and had made no written representations contradicting the position as set out by the Applicant.

Decision

An order for possession of the property at 17 Drumine Road, Forres, IV36 1HX was made

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.

M. Thorley

Legal Member/Chair

Date

27 February 2019