



**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/18/3257**

**Re: Property at 12 Regwood Street, Glasgow, G41 3JG (“the Property”)**

**Parties:**

**Trustees For Shawlands Trinity Church, 14 Regwood Street, Glasgow, G41 3JG  
 (“the Applicants”)**

**Ms Edlin Paolone, 12 Regwood Street, Glasgow, G41 3JG (“the Respondent”)**

**Tribunal Members:**

**Nairn Young (Legal Member)**

**Decision**

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

- Background

This is an application for an order for possession of the Property, which was let in terms of a short assured tenancy to the Respondent by the Applicants. The matter called for a case management discussion at 10am on 7 March 2019. The Applicants were not present in person, but were represented by Ms Killean of the Church of Scotland Law Department. The Respondent was present in person.

- Findings in Fact

The facts of the case were not disputed and are as follows:

1. The Applicants let the Property to the Respondent in terms of a short assured tenancy commencing 1 March 2014 (‘the tenancy’). The duration of the tenancy was stated to be until 28 February 2015, but to continue on a month-to-month basis thereafter, until brought to an end.

2. On 15 September 2018, the Applicants served a notice to quit on the Respondent, terminating the tenancy on 28 November 2018. At the same time a notice under s.33(1)(d) of the Housing (Scotland) Act 1988 ('the Act') was served, incorrectly naming the landlords as, "the Church of Scotland General Trustees." This was followed, on 27 September 2018, by a further s.33(1)(d) notice, correctly identifying the Applicants as the landlords.
3. The Respondent continues to occupy the Property, in terms of a statutory assured tenancy.
  - Reasons for Decision
4. The tenancy has reached its end and tacit relocation is not operating. There is no further contractual tenancy in place. The necessary notice in terms of s.33(1)(d) of the Act was served on 27 September 2018. As such, order for possession must be granted, in terms of s.33(1) of the Act.
  - Decision

Order for possession granted.

### **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.**

**Nairn Young**  
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**Legal Member/Chair**

**7 MARCH 2019 .**  
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**Date**