



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017

Chamber Ref: FTS/HPC/CV/19/1646

Re: Property at 4 Bryson Court, Hamilton, South Lanarkshire, ML3 7AE (“the Property”)

Parties:

Mr Jonathan Burridge, Mrs Colette Burridge, 75 Harlequin Court, Hamilton, South Lanarkshire, ML3 8SW (“the Applicant”)

Mr Kenny Allan, Mrs Ashley Allan, Unknown, Unknown (“the Respondent”)

Tribunal Member:

Nairn Young (Legal Member)

Decision (in the absence of the parties)

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

Background and Reason for Decision

1. This is an application for an order for payment of rent arrears alleged to have been incurred in terms of the Respondent’s assured tenancy at the Property. It called for case management discussion (‘CMD’) at 10:30am on 29 October 2019. Neither party was present or represented.
2. By e-mail, in advance of the CMD, the Applicant informed the Tribunal that the Respondent had left the Property and could not be traced. The Applicant withdrew a conjoined eviction application, but did not explicitly confirm that this application should also be withdrawn. Nonetheless, it was confirmed that neither Applicant would attend the CMD, as subsequently transpired.
3. On this basis, the Tribunal determined that the matter has resolved. It is therefore bound to reject the application, in terms of Rule 8(1)(b) of the First-

tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017.

Decision

Rejected.

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

Legal Member

29 OCTOBER 2019

Date