

Housing and Property Chamber
First-tier Tribunal for Scotland



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/18/0267

Re: Property at 28 Elm Street, Dundee, DD2 2AY (“the Property”)

Parties:

Mr Fraser Mudie, 49 Dunkeld Place, Dundee, DD2 2HW (“the Applicant”)

Mr Robert Donnelly and Ms Amanda Donnelly, 28 Elm Street, Dundee, DD2 2AY (“the Respondents”)

Tribunal Member:

Nicola Irvine (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicant is entitled to the Order sought for recovery of possession of the property.

Background

A case management discussion took place on 8th August 2018. On 13th September 2018, at its own instance, the Tribunal recalled the decision of 8th August and fixed a new case management discussion for 29th October 2018. Reference is made to the decisions of 8th August and 13th September. The Tribunal intimated details of the date, time and place of today’s case management discussion to the Respondents by sheriff officer on 12th October 2018. The Respondents were invited to make written representations no later than 24th October and were advised that they required to attend today’s case management discussion.

The Case Management Discussion

The Applicant was represented by Mr Donaldson, solicitor. The case management discussion proceeded in the absence of the Respondents. Mr Donaldson advised

Tribunal, and where the appeal is abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

N Irvine

Legal Member/Chair

29th October 2018

Date