



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014.

Chamber Ref: FTS/HPC/CV/19/0641

Re: Property at 29 Nelson Avenue, Coatbridge, ML5 5LR (“the Property”)

Parties:

Mr Douglas McGill, 2 Cromlet Drive, Coatbridge, ML5 2FB (“the Applicant”)

Miss Alicia McKenna, 29 Nelson Avenue, Coatbridge, ML5 5LR (“the Respondent”)

Tribunal Members:

Lesley Ward (Legal Member)

Decision (in absence of the Respondent)

The applicant’s agent withdrew the application.

This was a case management discussion ‘CMD’ regarding an application in terms of rule 70 of the First tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, ‘the rules’ and s16 of the Housing (Scotland) Act 2014, ‘the act’, to recover rent arrears.

The applicant was represented by Ms Vicki McGuire. The respondent did not attend and was not represented. The tribunal had sight of the execution of service of the CMD details and the application by sheriff officer’s on 1 April 2019.

The tribunal held a preliminary hearing regarding two matters:

1. The tribunal noted that page 4 of the application was missing.
2. The tribunal noted that the application is on behalf of only one of two owner of the property.

Ms McGuire stated that she did not have any information regarding the knowledge or consent of the joint owner to the application. Ms Jewel also stated that due to an error on her part, she omitted to send page 4 of the application to the tribunal with her email of 27 February 2019. She was unable to furnish the tribunal with page 4 and it appears that it was never sent to the tribunal. In the circumstances Ms McGuire decided to withdraw the application and make a fresh application rather than seeking an adjournment. .

Lesley Ward

23 April 2019

Lesley A Ward Legal Member

Date