

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 33 of the Housing (Scotland) Act 2018**

**Chamber Ref: FTS/HPC/EV/18/1723**

**Re: Property at Flat 3/2, 26 Lochburn Gate, Glasgow, G20 0SN ("the Property")**

**Parties:**

**Mr Grant Munro, C/O Cairn Letting, 34 Gibson Street, Glasgow, G12 8NX ("the Applicant")**

**Ms Linda Mcillwaine, Flat 3/2, 26 Lochburn Gate, Glasgow, G20 0SN ("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 against the Respondent for possession of the Property under section 33 of the Housing (Scotland) Act 1988 be granted**

**Background**

**By application dated 11 June 2018 the Applicant applied to the Tribunal under Rule 66. The application was accompanied by a copy of the tenancy agreement dated 24 May 2012, a copy of the AT5, a copy of the notice to quit and section 33 notice as served by sheriff officers.**

**Case Management Discussion**

**The Applicant was represented by Mrs Fiona Herbin. The Respondent was not present nor represented. Papers had been served on the Respondent by sheriff officer on 10 September 2018. There were no written representations by the Respondent.**

The Applicant confirmed that the only ground being insisted upon for removal was in accordance with the notice to quit.

#### Findings in Fact

The tenancy between the parties was constituted by tenancy agreement dated 24 May 2012.

All relevant paperwork had been served on the Respondent

The paperwork was in order.

#### Reasons for Decision

The Respondent was not present. All paperwork was in order. No representations were made by the Respondent.

#### 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.

Mark Thorley

Legal Member/Chair

3 Oct 2018  
Date