

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 16 of the Housing (Scotland) Act 2014

Chamber Ref: FTS/HPC/CV/18/2158

Re: Property at 273 Main Street, Lennoxton, G66 7DH (“the Property”)

Parties:

Mr Stuart Hay, C/O CODA Estates Ltd, 2 - 4 Heath Avenue, Lenzie, G66 4LG (“the Applicant”)

Miss Alanna Bennett, 273 Main Street, Lennoxton, G66 7DH (“the Respondent”)

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Application be dismissed for want of insistence.

Reasons

This case called for a CMD for the second time. It had been continued from the previous CMD on 25 October due to the fact that there had been no appearance by either party.

The Tribunal were satisfied that notification of the CMD had been made by Sheriff Officer on the Respondent and by Recorded Delivery on the applicant. Certificate of service by Sheriff Officers and proof of posting were provided.

In light of the fact this was the second occasion where parties had been duly notified and had failed to appear the Tribunal dismissed the application.

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.

Alan Strain

Legal Member/Chair

5 Dec 2018

Date