



**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/18/3256

Re: Property at 6/5 Loganlea Place, Edinburgh, EH7 6PB (“the Property”)

Parties:

**Mr Alexander Collie, Forever Steading, Leys of Barras, Stonehaven, AB39 2UE
 (“the Applicant”)**

Ms Helen Stewart, 6/5 Loganlea Place, Edinburgh, EH7 6PB (“the Respondent”)

Tribunal Members:

John McHugh (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order for possession of the Property would be
made in favour of the Applicant.**

A Case Management Discussion took place at George House, Edinburgh on 23
January 2019.

The Applicant was represented by his solicitors, Leona Duff and Debbie McAndliss.
The Respondent was neither present nor represented having indicated by email to
the office of the Tribunal that she did not intend to attend.

Findings in Fact

The Applicant is the landlord and the Respondent the tenant in terms of a short
assured tenancy agreement dated 1 February 2017.

The original period of the tenancy was six months and it continued thereafter on a month to month basis.

The Applicant served a Section 33 Notice and a Notice to Quit both dated 2 August 2018 upon the Respondent on 7 August 2018.

The Notice to Quit required the Respondent to remove by 1 November 2018.

Reasons for Decision

The tenancy has reached its end. Tacit relocation is not operating and no further contractual tenancy is in existence. The Applicant has given notice to the Respondent that it requires possession of the Property.

Decision

The Tribunal decides that an order for possession of the Property in favour of the Applicant should be made.

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.

John McHugh

John McHugh, Legal Member/Chair

23/1/19

Date