



**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 (Act)**

**Chamber Ref: FTS/HPC/EV/19/1552**

**Re: Property at Flat 16, 6 FairField Gardens, Edinburgh, EH10 6UP (“the  
Property”)**

**Parties:**

**Home Group Limited, 2 Gosforth Park Way, Gosforth Business Park, Gosforth,  
Newcastle Upon Tyne, Tyne and Wear, NE12 8ET (“the Applicant”)**

**Mr John Holland, Flat 16, 6 FairField Gardens, Edinburgh, EH10 6UP (“the  
Respondent”)**

**Tribunal Members:**

**Alan Strain (Legal Member)**

**Decision (in absence of the Respondent)**

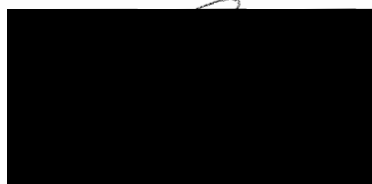
**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the order for eviction/recovery of possession be  
granted.**

**Background**

This is an application for recovery of possession/eviction on termination of a Short Assured Tenancy (**SAT**) under section 33 of the Act and Rule 66.

The Tribunal had regard to the following documents:

1. Application received 21 May 2019;
2. SAT;
3. AT5;
4. Notice to Quit;
5. Section 33 Notice;
6. Section 11 notice;
7. Proof of Service of Notices.



## Case Management Discussion (CMD)

The case called for a CMD on 11 July 2019. The Respondent was not present or represented. The Applicant was not present but was represented by her solicitor.

The Tribunal was satisfied that the Respondent had notification of the CMD and that the Tribunal could determine the matter in his absence if it considered it had sufficient information and it was fair to do so. Notification had been served by Sheriff Officers on 10 June 2019.

The Tribunal considered the documentary evidence and made the following findings in fact:

1. The Parties entered in to an SAT dated 20 April 2015;
2. The monthly rent was £650.23;
3. Notice to Quit was served on 20 February 2019;
4. Section 33 Notice was served on 20 February 2019;
5. The SAT reached its end at 21 April 2019;
6. Tacit relocation is not operating;
7. No further contractual tenancy is in existence.

The Tribunal found that the requirements of section 33 were satisfied and that the Tribunal had sufficient information upon which to make a decision and it was fair to do so.

The Tribunal granted the order for eviction/recovery of possession.

## 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.

  
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Legal Member/Chair

*11 July 2019*  
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Date