



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 51(1) of the Private Housing
(Tenancies) (Scotland) Act 2016**

Chamber Ref: FTS/HPC/EV/19/3964

Re: Property at 8 Teacher Street, Hamilton, ML3 8RR (“the Property”)

Parties:

Mrs Joanne McVee, 15 Redwood Crescent, Hamilton, ML3 8SZ (“the Applicant”)

Miss Karina Brown, 8 Teacher Street, Hamilton, ML3 8RR (“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 of eviction be granted.

1. The applicant applied to the First-tier Tribunal under Rule 109 for an eviction order in terms of Ground 12 of the Private Housing (Tenancies) (Scotland) Act 2016. The application was dated 10 December 2019. Accompanying the application was a Private Residential Tenancy Agreement dated 30 April 2019, Notice to leave dated 8 November 2019 with proof of service, Section 11 Notice dated 10 December 2019 and Rent Statement as at 10 December 2019.
2. Service of the application was made on the respondent by Sheriff Officers. The respondent provided no written response to the application.

1. At the case management hearing Ms Donnelly appeared on behalf of the applicant. There was no appearance by or for the respondent.

Findings in Fact

1. The parties entered into a Private Residential Tenancy Agreement dated 30 April 2019.
2. Rent was due to be paid at the rate of £1,200 per calendar month.
3. As at 10 December 2019 the amount of outstanding rent was £6,000.
4. The respondent has been in arrears of rent for a continuous period of three or more consecutive months.

Reasons for decision

1. All the documentation that was required had been produced.
2. There was no appearance by or for the respondent . The respondent had not made any written submissions.
3. The solicitor for the applicant confirmed the position that rent was now outstanding in the sum of £8400. That constituted 7 months of non payment of rent.

Decision

To grant an order of eviction.

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

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seek permission to appeal within 30 days of the date the decision was sent to them.

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Legal Member/Chair

7th Aug 2020

Date