

**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/PR/21/1636

Re: Property at 3 Portree Holiday Cottages, Portree, IV51 9LX (“the Property”)

Parties:

Mr Calum Munro, 11 Sconser (Foskett), Isle of Skye, IV48 8TD (“the Applicant”)

**Mr Kevin Hay, 2 Rosebank Terrace, Portree, Isle of Skye, IV51 9NQ (“the
Respondent”)**

Tribunal Members:

Gillian Buchanan (Legal Member)

Decision (in absence of the Applicant and the Respondent)

In this application a Case Management Discussion (CMD) had been scheduled to take place on Wednesday 24 November 2021 at 10.00am by telephone conference.

The Tribunal was satisfied the application had properly been served on the Respondent by reference to the Certificate of Intimation of Sheriff Officers which narrated that the paperwork had been hand delivered to the Respondent personally on 21 October 2021 at 2 Rosebank Terrace, Portree, IV51 9NQ. Prior to the CMD the Respondent had not responded to the application and no written representations were received from him.

During the sift of the application the Applicant answered queries raised in connection with the application and these were resolved prior to service of the application on the Respondent. These queries were dealt with by exchanges of email.

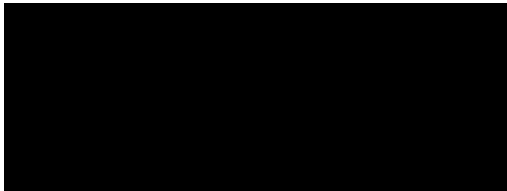
The Applicant received intimation of the CMD by letter from the Tribunal dated 19 October 2021 sent to the Applicant by email to his usual email address. The Applicant did not answer that letter.

At the CMD neither party was in attendance nor was either party represented. The Tribunal waited until 10.10am for the parties to dial into the telephone conference. They failed to do so. The Tribunal Clerk tested the telephone conference line and satisfied himself that the line was operating correctly.

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that in the absence of any appearance by or on behalf of the parties to the application should be dismissed.

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.



Legal Member/Chair

24 November 2021
Date
