

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 section 33 of the Housing (Scotland) Act 1988

Chamber Ref: FTS/HPC/EV/18/1390

Re: Property at 58 West Main Street, Broxburn, West Lothian, EH52 5LD (“the Property”)

Parties:

Mr Salah Merabet, 45 North Bughtlin Gate, East Craigs, Edinburgh, EH12 8XL (“the Applicant”)

Mr Ronald Winning, 58 West Main Street, Broxburn, West Lothian, EH52 5LD (“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 against the Respondent(s) for possession of the Property under section 33 of the Housing (Scotland) Act 1988. Be granted.

Background

By application dated 1 June 2018 the Applicant applied to the Tribunal under Rule 66. The application was accompanied by a Tenancy Agreement, AT5, Notice to Quit , Section 33 notice and Section 11 notice.

The Case Management Discussion

Mr Bain from the Applicants letting agents was present. The Respondent did not appear nor was represented and had made no written representations. Mr Bain expressed that there was a concern for the safety of the Respondent but the police had checked the property and although the Respondent was not

present it appeared that the property was not abandoned. The Respondent had received papers to the property delivered by sheriff officer.

Findings in Fact

The tenancy agreement between the parties was entered into on 6 March 2015.

All documents had been served on the Respondent to bring an end to the tenancy.

Reasons for decision

All the paperwork was in order and the Respondent had not opposed 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.

Mark Thorley

Legal Member/Chair

Date

21 August 2018