



**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/CV/22/0426

**Property:** 1 Branklyn Place, Glasgow G13 1GH (“the Property”)

**Parties:** Mr James Staniforth, Ballymenoch House, Brooks Road, Cardross G82 5HD (“the Applicant”)

and

Ms Natasha Copeland, Mr Ross Graham, 1 Branklyn Place, Glasgow G13 1GH (“the Respondent”)

**Tribunal Members:**

Mr Mark Thorley (Legal Member)  
Mrs Jane Heppenstall (Ordinary Member)

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

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for eviction of the respondent be made.

**Background**

1. The applicant applied to the First-tier Tribunal by way of application dated 14 February 2022. Accompanying the application was a copy of the Tenancy Agreement, bank statements, rent statement and correspondence with the respondent.
2. The application was acknowledged on 15 February 2022. Further information was sought by letter dated 2 March 2022. Further information was produced and on 18 March 2022 the tribunal accepted the application. A case management discussion was assigned for 25 May 2022.
3. The respondent received intimation of the proceedings on 8 April 2022 by way of depositing at the address.
4. No written representations were made.

### **Case Management Discussion**

5. The applicant and his wife attended the case management discussion. The respondent was not present nor represented. The applicant provided further information. The respondent is still in the property.

### **Findings in fact**

6. The parties had entered into a Private Residential Tenancy Agreement dated 1 September 2020 for the rental of the property at 1 Branklyn Place, Glasgow G13 1GH.
7. The applicant requires the property to live in and in particular in respect of the applicant's wife's elderly father.
8. The property that they are currently living in is not suitable for the applicant's wife's father.

### **Reasons for decision**

9. The applicant and his wife spoke to the necessity of obtaining the property. It has a downstairs bedroom and toilet which would be suitable for the applicant's wife's father who is 83 years of age and suffers from a variety of health issues. The property in which they currently live is unsuitable.
10. The respondent was not present nor represented and provided no contradictory evidence.
11. The tribunal accepted the evidence.

### **Decision**

To grant an order for 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 seek permission to appeal within 30 days of the date the decision was sent to them.**

**Legal Member/Chair: M. T**

**Date: 25 May 2022**