



**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**

Chamber Ref: FTS/HPC/EV/21/1088

**Re: Property at Flat 2/1, 6 Turnberry Road, Hyndland, Glasgow, G11 5AE (“the
Property”)**

Parties:

**Julia Thompson, Ms Claire Thompson, c/o Newton Letting, 87 Port Dundas
Road, Glasgow, G4 0HF; c/o Newton Letting, Suite 2-1, 116 Elderslie Street,
Glasgow, G3 7AW (“the Applicant”)**

**Ms Margaret Hanlon, Flat 2/1, 6 Turnberry Road, Hyndland, Glasgow, G11 5AE
 (“the Respondent”)**

Tribunal Members:

Graham Harding (Legal Member) and Sandra Brydon (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the Applicant was entitled to an order for possession
of the property and the removal of the Respondent under Section 33 of the
Housing (Scotland) Act 1988 and delayed execution of the order until 25 August
2021.**

Background

1. By application dated 7 May 21 the Applicants’ representatives Lindsays LLP, Solicitors, Edinburgh applied to the Tribunal for an order for possession of the property under Section 33 of the Housing (Scotland) Act 1988 (“the 1988 Act”). The Applicants’ representatives submitted a copy of the tenancy agreement, Notice to Quit, Section 11 Notice and Certificates of Service in support of the application.
2. By Notice of Acceptance dated 19 May 2021 a legal member of the Tribunal accepted the application and a Case Management Discussion was assigned.

3. Intimation of the Case Management discussion was given to the Applicants' representatives by post and to the Respondent by Sheriff Officers.

The Case Management Discussion

4. A Case Management Discussion was held by teleconference on 25 June 2021. The Applicants did not attend but were represented by Mr Piggot from the Applicants' representatives. The Respondent did not attend but was represented by Miss Cavanagh of the Legal Services Agency Ltd.
5. At the commencement of the discussion Miss Cavanagh advised the Tribunal that agreement had been reached between the parties that the Respondent would consent to an order for possession of the property being granted subject to it being deferred for a period of two months. Mr Piggot confirmed that this was the case and moved the Tribunal to grant the order in terms of Section 33 of the 1988 Act subject to delaying implementation of the order until 25 August 2021.

Reasons for Decision

6. The Tribunal was satisfied that an agreement had been reached between the parties extra-judicially and that in all the circumstances it was therefore reasonable to grant the order.

Decision

7. The Tribunal finds the Applicants entitled to an order for possession of the property and the removal of the Respondent from the property in terms of Section 33 of the 1988 Act and delays execution of the order until 25 August 2021. The decision of the Tribunal is unanimous.

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.

Graham Harding

**Graham Harding
Legal Member/Chair**

**25 June 2021
Date**