



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

Chamber Ref: FTS/HPC/EV/22/1433

Re: Property at 16 Muir Drive, Stevenston, KA20 3JD (“the Property”)

Parties:

Mr John Turner, unknown, unknown (“the Applicant”)

Ms Louise Crawley, 16 Muir Drive, Stevenston, KA20 3JD (“the Respondent”)

Tribunal Members:

Melanie Barbour (Legal Member) and Mary Lyden (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be dismissed.

1. An application was made to the First Tier Tribunal for Scotland (Housing and Property Chamber) under Rule 109 of the First Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 (“the 2017 Rules”) seeking an order for repossession of the property.
2. The application contained:- a copy of the tenancy agreement; notice to leave; rent statement; and section 11 notice.
3. Notice of the re-scheduled case management discussion had been sent to the parties by letters on around 9 September 2022. The letter to the respondent had been returned as “addressee gone away.” The applicant’s agent advised on 8 November 2022 that no further action was required in terms of the application as the respondent had left the property. They did not formally withdraw the application however and the case management discussion proceeded on 14 November 2022. There was no appearance by either party at today’s case management discussion on 14 November 2022.

4. In terms of Rule 27 of the Tribunal Rules 2017 as no party appeared, the tribunal dismissed the Applicant's 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.

Legal Member/Chair

14 November 2022

Date