



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/23/0163**

**Re: Property at 77 Green Road, Paisley, PA2 9AQ (“the Property”)**

**Parties:**

**Mrs Moira Lang, 34 Riccarton Avenue, Paisley, PA2 6BG (“the Applicant”)**

**Lyndsay McKenzie, 103 Glenapp Avenue, Paisley, PA2 7SL (“the Respondent”)**

**Tribunal Members:**

**Graham Harding (Legal Member)**

**Decision (in absence of both parties)**

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

**Background**

1. By application dated 30 December 2022 the Applicant’s representative Mr David Lang applied to the Tribunal for an order for payment in respect of alleged rent arrears and other costs arising from the Respondents’ tenancy of the property. The Applicants submitted a copy of the tenancy agreement together with a rent reconciliation, inventory, photographs and receipts in support of the application.
2. Following further correspondence between the Applicant’s representative and the Tribunal administration by Notice of Acceptance dated 21 August 2023 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion (“CMD”) was assigned.
3. Intimation of the CMD was served on the Respondent by Sheriff Officers on 12 September 2023.

## **The Case Management Discussion**

4. A CMD was held by teleconference on 18 October 2023. Neither party attended or was represented. The Tribunal clerk attempted to contact the Applicant's representative by telephone without success. In the circumstances the Tribunal determined that it could not deal with the proceedings justly and fairly in the absence of the parties and dismissed the application in terms of Rule 27 of the First-tier Tribunal for Scotland housing and Property Chamber (Procedure) Regulations 2017.

## **Decision**

5. The application is 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.**

**Graham Harding  
Legal Member/Chair**

**18 October 2023  
Date**