

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 51(1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/EV/20/2283

Re: Property at 67a Princes St, Ardrossan, KA22 8DG (“the Property”)

Parties:

Casa Properties, 91 Princes St, Ardrossan, KA22 8DG (“the Applicant”)

Mr Antony Pentleton, 67a Princes St, Ardrossan, KA22 8DG (“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 of eviction be granted.

This is an application for eviction brought under Rule 109.

Accompanying the application were the following documents:-

- 1. Rent Statement**
- 2. Section 11 Notice**
- 3. Tenancy Agreement dated 24 April 2018**
- 4 Notice to leave**
- 5 Sheriff Officers service of notice**

The applicants are represented by McKenzie Way, 36 Hamilton Street, Saltcoats KA21 5DS.

The application was served on the respondent by Sheriff Officer on 10 November 2020.

No written representations have been received from the respondent.

Case Management Hearing

At the case management hearing the applicant was represented by McKenzie Way. There was no appearance by or for the respondent.

As at the hearing arrears of rent now stood at £9,156. Monthly rent was due to be £275 per calendar month. There had not been a payment of rent since 25 April 2018.

Findings in Fact

- 1. That the parties entered into a Tenancy Agreement dated 25 April 2018.**
- 2. Rent was due to be paid at the rate of £275 per calendar month**
- 3. No rent has been received since 25 April 2018. Currently rent is due in the sum of £9,156.**

Reasons for decision

There was ample evidence contained within the papers for the case that there was a significant amount of rent arrears. Rent has not been paid for more than two and a half years. That was spoken to by the representative of the applicants.

There was no appearance by the respondent and he was not represented. He had not put in any written representations.

The Tribunal accordingly accepted the position.

Decision

To grant an order of 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.

Mark Thorley

16 December 2020

Legal Member/Chair

Date