



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/23/1290

Re: Property at Room10, 40 Marywood Square, Glasgow, G41 2BJ (“the Property”)

Parties:

Hanlon Properties, 13 Clouston Street, Glasgow, G20 8QR (“the Applicant”)

Mr John Blair, Room10, 40 Marywood Square, Glasgow, G41 2BJ (“the Respondent”)

Tribunal Members:

Richard Mill (Legal Member) and Sandra Brydon (Ordinary Member)

Decision (in absence of the parties)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined the application be dismissed for want of insistence

Reasons

This application seeks an eviction order and is under Rule 109 and Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016.

Sheriff Officers attempted and failed to Intimate the application and Case Management Discussion (CMD) to the respondent.

The CMD took place by teleconference on 30 August 2023 at 10.00 am. No one joined the hearing.

The respondent is known not to be residing in the property. He has been subject to bail conditions which prohibit him from residing at the tenancy or from having contact with the other residents there. His domicile of citation is elsewhere but the applicant has not provided any alternative address, not made a request for service to be effected

by advertisement on the Chamber website and moreover he failed to attend the CMD to pursue the application.

The tribunal was satisfied that it was in the interests of justice to dismiss the 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.

Richard Mill

30 August 2023

Legal Member/Chair

Date