

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) in respect of application under Section 18 of the Housing (Scotland) Act 1988

Chamber Ref: FTS/HPC/EV/18/0646

Re: Property at 14 Lumley Court, Grangemouth, Stirlingshire, FK3 8BQ (“the Property”)

Parties:

Smart Move Letting Management Ltd, 94 Duke Street, Glasgow, G4 0UW (“the Applicant”)

Mr Colin Rankin, 14 Lumley Court, Grangemouth, Stirlingshire, FK3 8BQ (“the Respondent”)

Tribunal Members:

Lesley Dowdalls (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) dismisses the application for want of insistence, and on the basis that it is fair and equitable to do so.

Neither the Applicant nor the Respondent attended today and neither was represented.

Both parties had received notification of today’s Case Management Discussion, intimation having been made to the Applicant by Recorded Delivery letter on 3rd July 2018, and a reminder of the details having been issued in a letter dated 25th July 2018. The Respondent received notification by Sheriff Officer on 4th July 2018.

Enquiries were made by the Tribunal Clerk as to whether the Applicant had made contact with the Tribunal to explain his non-appearance, but no message had been received from him, or anyone acting on his behalf.

In the circumstances, the Tribunal being unaware of the current circumstances in relation to the application, and the applicant having failed to attend to pursue the matter further, the Tribunal dismisses 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.

Lesley Dowdalls

Legal Member

Date

3/8/18