

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 18 of the Housing (Scotland)
Act 1988**

Chamber Ref: FTS/HPC/EV/18/1531

**Re: Property at Flat 10, 3 Western Harbour View, Edinburgh, EH6 6PB (“the
Property”)**

Parties:

Mr Ian Robertson, Barmuckity House, Elgin, Moray, IV30 8QW (“the Applicant”)

**Miss Bakthawar Heer Jamali, Flat 10, 3 Western Harbour View, Edinburgh, EH6
6PB (“the Respondent”)**

Tribunal Members:

John McHugh (Legal Member) and Frances Wood (Ordinary Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order for possession of the Property should
made.**

A hearing took place at George House, Edinburgh on 11 September 2018. The Applicant was represented by Ms Swanson, solicitor of TC Young. The Respondent was neither present nor represented.

Findings in Fact

The Applicant is the owner of the Property.

The Applicant and the Respondent entered into a short assured tenancy of the Property dated 23 May 2015.

The Respondent commenced occupation on 3 June 2015.

The rent payable was £710 per month.

At the time of raising this application three months' rent in the sum of £2470 was outstanding and remains outstanding as at today's date.

On 16 February 2018 the Applicant served notice under section 19 of the Housing (Scotland) Act 1988 of his intention to raise proceedings.

Reasons for Decision

The Applicant's representative advised the Tribunal that three months' rent was outstanding at the date the application was commenced and that the outstanding rent had increased to £4600 by the date of the hearing.

Decision

We decide that Ground 8 of Schedule 5 to the Housing (Scotland) Act 1988 has been established and that an order for possession should be made.

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.

John McHugh

John McHugh, Legal Member/Chair

11 September 2018

Date