



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/19/1838

Re: Property at 19F Quality Street, Dysart, Fife, KY1 2TZ (“the Property”)

Parties:

Ore Valley Enterprises Limited, 114-116 Station Road, Cardenden, Fife, KY5 0JW (“the Applicant”)

Mr George Connelly, 19F Quality Street, Dysart, Fife, KY1 2TZ (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- **Background**

This is an application for an eviction order in relation to the Property, which is let by the Applicant to the Respondent in terms of a private residential tenancy. The case called for a case management discussion on 13 August 2019 at 2pm. The Applicant was represented by Ms Morrison of TC Young Solicitors. The Respondent was not present or represented.

- **Findings in Fact**

1. The Property is let to the Respondent by the Applicant in terms of a private residential tenancy, with a start date of 4 May 2018. In terms of the tenancy agreement, rent of £403 is due each month no later than the third day of the month.

2. The Applicant sent the Respondent a notice to leave on 2 May 2019, which stated that eviction would be sought on ground 12 of schedule 3 to the Private Housing (Tenancies) (Scotland) Act 2016 ('ground 12'); and that an application for an eviction order would not be submitted to the Tribunal before 2 June 2019. This application was made on 13 June 2019.
3. As at the date of the case management discussion, the Respondent was in arrears of rent of £3,697.98. He had been in arrears of greater than one month's rent for all of the preceding three months.
 - Reasons for Decision
4. On the basis of the facts as found to be established, the Tribunal must find ground 12 to apply. An eviction order must therefore be made.
 - Decision

Eviction order issued.

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.

N.Y

Legal Member/Chair

13 AUGUST 2019

Date