



**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/18/3163

**Re: Property at 39 Bowden Drive, Cardonald, Glasgow, G52 2LN (“the
Property”)**

Parties:

**Mr Colin McKinnon, 29 Dalnottar Hill Road, Old Kilpatrick, Glasgow (“the
Applicant”)**

**Ms Catherine Taylor, 39 Bowden Drive, Cardonald, Glasgow, G52 2LN (“the
Respondent”)**

Tribunal Members:

Patricia Pryce (Legal 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 should be granted.**

- **Background**

The Applicant submitted an application to the Tribunal on 23 November 2018. The Applicant averred that the short assured tenancy between the Applicant and the Respondent in respect of the property at 39 Bowden Drive, Cardonald, Glasgow had reached its ish.

- **The Case Management Discussion**

The Applicant did not appear but was represented by Mr Michael Hankinson, solicitor. The Respondent did not appear nor was she represented. Mr Hankinson submitted that the Respondent had advised the Applicant's letting agent that she had moved out of the property.

- **Findings in Fact**

1. The Applicant is the owner of the property at 39 Bowden Drive as noted above.
2. The parties entered into a short assured tenancy in respect of the property on 1 September 2017.
3. The Applicant served on the Respondent a notice in terms of Sections 19 and 33 of the 1988 Act together with a notice to quit, giving sufficient notice to the Respondent in advance of the ish date.
4. The contractual tenancy was brought to an end on the ish date, namely, 1 September 2018.

- Reasons for Decision

The Applicant had served on the Respondent the correct notices and provided sufficient notice to bring the contractual tenancy to an end. The Respondent had refused or delayed to remove from the property. The Applicant sought an order for possession of the property as he believed that the Respondent had left the keys for the property within the property.

- Decision

The Tribunal determined to grant the order for possession.

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.

Patricia Anne Pryce

Legal Member/Chair

4 March 2019

Date