



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 33 of the Housing (Scotland) Act 1988 (“The Act”)**

**Chamber Ref: FTS/HPC/EV/23/3889**

**Re: Property at 8B Anne Avenue, Renfrew, Renfrewshire, PA4 8RR (“the Property”)**

**Parties:**

**Mr Frank White, 27 Naughton Road, Wormit, Tayport, DD6 8NG (“the Applicant”)**

**Miss Lauren Lang, 8B Anne Avenue, Renfrew, Renfrewshire, PA4 8RR (“the Respondent”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member) and Tony Cain (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made an Eviction Order.**

**Background**

[1] The Application seeks an Eviction Order under Section 33 of the Act. The Application is accompanied by a copy of the tenancy agreement; the notice served under Section 33 of the Act; the relevant notice to quit with proof of service and the relevant notice served under Section 11 of the Homelessness (etc) (Scotland) Act 2003.

**The Case Management Discussion**

[2] The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 3 April 2024. The Applicant was represented by Mr McKeown, Trainee

Solicitor. There was no appearance by or on behalf of the Respondent. On the basis that the Application had been served on the Respondent by Sheriff Officers and the Respondent had failed to engage with the process, the Tribunal decided to proceed in the absence of the Respondent.

[3] Having heard from Mr McKeown, the Tribunal made the following findings in fact.

### **Findings in Fact**

- I. *The parties entered into a tenancy agreement in terms of which the Applicant let the Property to the Respondent as Short Assured Tenancy within the meaning of the Act;*
- II. *The Applicant competently brought the tenancy to an end by serving a notice under Section 33 of the Act and a Notice to Quit;*
- III. *The Applicant has also competently served the relevant notice under Section 11 of the Homelessness (etc) (Scotland) Act 2003;*
- IV. *The Respondent has failed to engage with the Tribunal process;*
- V. *The Respondent has fallen into rent arrears which in turn has caused the Applicant financial difficulty;*
- VI. *The Property has not been especially adapted for any health needs of the Respondent;*

### **Reasons for Decision**

[4] Having made the above findings in fact, the Tribunal granted the Application and made an Eviction Order.

### **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.

  
**A McLaughlin,**

Legal Member/Chair

3 April 2024  
Date

