



**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**

Chamber Ref: FTS/HPC/EV/19/3268

Re: Property at 177 (1F1) Ferry Road, Edinburgh, EH6 4NJ (“the Property”)

Parties:

**Mrs Rebecca Norris, 2 Howieson Place, Station Road, West Linton, EH46 7DW
 (“the Applicant”)**

Mr Neil Ross, 177 (1F1) Ferry Road, Edinburgh, EH6 4NJ (“the Respondent”)

Tribunal Members:

John McHugh (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 of the Property in favour of the Applicant should be made.

Background

The Applicant is the landlord and the Respondent the tenant in terms of a short assured tenancy of the Property dated 14 September 2015.

The Case Management Discussion

A Case Management Discussion took place at Riverside House, Edinburgh on 16 December 2019. The Applicant was represented by Derek Rowland, its letting agent. The Respondent was neither present nor represented.

Findings in Fact

The Applicant is the landlord and the Respondent the tenant in terms of a short assured tenancy of the Property dated 14 September 2015.

The tenancy was for a period of six months and continued from month to month thereafter.

On 10 May 2019 the Applicant served a Notice to Quit and a section 33 notice both dated 7 May 2019 upon the Respondent. These required the Respondent to remove by 15 July 2019.

The Respondent remains in occupation.

Reasons for Decision

The Tribunal was satisfied that the short assured tenancy has reached its end; that tacit relocation is not operating; that no further contractual tenancy is in existence and that the Applicant has given notice stating that he requires possession of the Property. In the circumstances, the Tribunal is required to make an order for possession.

Decision

An order for possession of the Property will be made in favour of the Applicant.

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, Legal Member/Chair

16 December 2019

Date