

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51(1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/EV/18/2719**

**Re: Property at 71 Abbey Road, Scone, Perth, PH2 6LL (“the Property”)**

**Parties:**

**Maybank Properties, 6 Atholl Crescent, Perth, PH1 5JN (“the Applicant”)**

**Mr Norman Hughes, Mrs Donna Hughes, 71 Abbey Road, Scone, Perth, PH2 6LL (“the Respondent”)**

**Tribunal Members:**

**Mark Thorley (Legal Member) and Helen Barclay (Ordinary Member)**

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

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

**Background**

**By application dated 5 October 2018 the Applicants applied to the Tribunal under Rule 109 . The application was accompanied by a rent statement and other documents to support the application regarding a breach of clause 37 of the agreement namely that the tenants had not made full and true disclosures of all information in connection with the granting of the lease**

**At a case management discussion the Applicants solicitor attended but not the Respondents. Certain further information was sought from the Applicants.**

**The Hearing**

**At the hearing Mr Webb appeared on behalf of the Applicants. The Respondents did not appear nor were they represented.**

Mark Thorley

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## Findings in Fact

The tenancy between the parties was constituted by a tenancy agreement dated 1 and 3 May 2018

The tenants are in more than 3 months of arrears of rent.

The Respondents had received all the paperwork,

## Reasons for Decision

There was no appearance by or for the Respondents

The Applicants solicitor confirmed that no rent had been paid since 4 August 2018. Accordingly more than 3 months rent was outstanding. Ground 8 was established.

## Decision

The Tribunal granted an order for possession of the property.

## 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.

Mark Thorley

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Legal Member/Chair

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Date

22 February 2019