

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



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber)**

**Chamber Ref: FTS/HPC/CV/18/1529**

**Re: Property at 33 Glenbrittle Drive, Paisley, PA2 7QJ (“the Property”)**

**Parties:**

**P Brandon, 135 Ralston Avenue, Paisley, PA1 3BY (“the Applicant”)**

**Ms Ross Hodgart, 71 Anchor Wynd, Paisley, PA1 1HL (“the Respondent”)**

**Tribunal Members:**

**Virgil Crawford (Legal Member)**

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

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

**BACKGROUND**

1. The Applicant presented an application to the Tribunal seeking payment by the Respondent in the sum of £705.78, this being an amount due by way of rent arrears.
2. After sundry procedure the application was accepted by the Tribunal and a Case Management Discussion was assigned to take place on Friday 19<sup>th</sup> October 2018 at 10am within the Glasgow Tribunal Centre, 20 York Street, Glasgow, G2 8GT.
3. The date, time and place of the Case Management Discussion was intimated to both Parties by the Tribunal by letters dated 3<sup>rd</sup> October 2018. In relation to the Respondent, this letter, together with all relevant case papers, was served by Sheriff Officers on 4<sup>th</sup> October 2018.

## THE CASE MANAGEMENT DISCUSSION

4. Neither Party attended the Case Management Discussion. The Tribunal allowed additional time before making any decision. As at 10.45am, however, neither Party had attended nor had either made contact with the Tribunal to advise of any difficulty in attending.
5. The letter dated 3<sup>rd</sup> October 2018 forwarded to the Applicant made it clear that:-
  - a) The attendance of the Applicant was required at the Case Management Discussion
  - b) The Tribunal may make a decision at the Case Management Discussion including a decision to make or refuse a payment order
  - c) Failure to attend the Case Management Discussion will not stop a decision or order being made.

## REASONS FOR DECISION

6. In the absence of the Parties, and in particular the Applicant, the Tribunal was unable to consider the order sought as it did not have sufficient information to enable it to deal with the proceedings justly and fairly.

## DECISION

The Tribunal dismissed the Application in terms of Rule 27(2) of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.

## 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.**

Virgil Crawford

19 October 2018

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Legal Member/Chair

\_\_\_\_\_  
Date