



**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/19/1860**

**Re: Property at 38 Broomlands Street, Paisley, PA1 2NR (“the Property”)**

**Parties:**

**Mr Zulfiqar Shahid, C/O The Property Store (GB) LTD, 111 Albert Drive,  
Glasgow, G41 2SU (“the Applicant”)**

**Mr Krzysztof Krawczyk, 38 Broomlands Street, Paisley, PA1 2NG (“the  
Respondent”)**

**Tribunal Members:**

**Nairn Young (Legal Member)**

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

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

- Background

This is an application for an order for possession of the Property, which is occupied by the Respondent in terms of an assured tenancy. The matter called for a case management discussion at 2pm on 23 August 2019. The Applicant was not present in person, but was represented by Mr Ritchie of Hardy Macphail Solicitors. The Respondent was not present or represented.

- Findings in Fact

1. The Applicant lets the Property to the Respondent under a short assured tenancy, which commenced on 8 November 2017. In terms of that tenancy agreement, rent of £350 is payable on the eighth day of each month. The agreement provides that the tenancy may be brought to end on, among others, ground 8 of Schedule 5 to the Housing (Scotland) Act 1988 (‘Ground 8’).

2. On 11 April 2019, the Applicant served a notice in form AT6 on the Respondent, by Sheriff's officers. The notice stated that he intended to raise proceedings for possession of the Property no earlier than 26 April 2019 on, among others, Ground 8. At that time, the Respondent owed £1,450 in rent arrears. This application was raised on 17 June 2019.
  3. As at the date of the case management discussion, the Respondent was in arrears of rent of £2,655.
- Reasons for Decision
4. The Respondent owed more than three months rent at the time of service of the form AT6 notice and at the date of the case management discussion. Ground 8 is therefore established and an order for possession must be made.
- Decision

**Order for possession made.**

### **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.

**Nairn Young**  
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Legal Member/Chair

**23 AUGUST 2019.**  
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Date