



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of The Private Housing (Tenancies) (Scotland) Act 2016 and Rules 27 and 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (the “Rules”).

Chamber Ref: FTS/HPC/CV/19/3768

Re: Property at 131 Baillieston Road, Mount Vernon, G32 0TG (“the Property”)

Parties:

Mr Graeme McConnell, 19 Redwood Close, Hamilton, ML3 8SY (“the Applicant”)

Mr Gary Scanlan, 5 Mossvale Walk, Glasgow, G33 5PJ (“the Respondent”)

Tribunal Member:

Martin McAlister (Legal Member)

Decision (in absence of the parties)

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

The case is dismissed.

Background

- 1. This is an application for payment and is being dealt with under Rule 111 of the Rules.**
- 2. The Applicant’s representative was advised of the date of the case management discussion and this was effected by a letter from the Tribunal office dated 23rd December 2019.**
- 3. Notice of the date of the case management discussion was served on the Respondent by Sheriff Officers on 27th December 2019.**

Case Management Discussion

- 4. A case management discussion was held at 11.30 am on 24th January 2020 in the Glasgow Tribunal Centre.**
- 5. Neither party appeared. At 11.45 am, a member of the Tribunal administration telephoned the letting agent who was representing the Applicant and was told the case management discussion had been forgotten about.**

Disposal

- 6. The Tribunal noted that the representative of the Applicant had failed to attend and had offered no reasonable explanation for non- attendance.**
- 7. The Tribunal had regard to Rule 27 of the Rules and, in particular, Rule 27 (2) (b). The Tribunal considered that the non- appearance of the Applicant meant that it could not deal with the proceedings justly and fairly and it determined that the application should be dismissed.**

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.

**Martin J. McAllister,
Legal Member/Chair**

24th January 2020