



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

**Chamber Ref: FTS/HPC/EV/21/1060**

**Re: Property at 8 Teavarran, Kiltarlity, By Beauly, IV4 7HT (“the Property”)**

**Parties:**

**Caroline Annette MacKenzie, Mr Andrew Thomas MacKenzie, Craggan Lodge,  
Cragganvallis, Kiltarlity, By Beauly, IV4 7HT (“the Applicants”)**

**Kacey Cameron, Mr James Cameron, 8 Teavarran, Kiltarlity, By Beauly, IV4  
7HT (“the Respondents”)**

**Tribunal Members:**

**Virgil Crawford (Legal Member) and Angus Lamont (Ordinary Member)**

**Decision**

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

**BACKGROUND**

1. By Lease dated 22<sup>nd</sup> February 2017 the applicants let the property to the Respondent. The Lease is a short assured tenancy in terms of the Housing (Scotland) Act 1988 (the “1988 Act”);
2. Notices were served by the Applicant seeking to terminate the tenancy in terms of the 1988 Act. An application was subsequently presented to the Tribunal seeking an Order for eviction.
3. A case management discussion was assigned for 25<sup>th</sup> June 2021 at 2pm. At that case management discussion the Respondents opposed the application for eviction challenging the competency of the proceedings due to alleged defects within notices which have been served and, separately, the reasonableness of an order for eviction being granted;
4. The Tribunal assigned a hearing to determine the matter, the hearing being assigned for 27<sup>th</sup> August 2021 at 10am;



5. In advance of the hearing the parties reached agreement in relation to disposal of the case.

## **THE HEARING**

6. The Applicants were represented by Mr Smith of Messrs South Forrest Solicitors, Inverness. The First Respondent, Kacey Cameron represented her own interests. The Second Respondent was represented by Shelter Scotland;
7. The Parties confirmed that they had reached agreement in relation to the disposal of the case, the agreement being that an Order for eviction would be granted but the Applicants would not be entitled to enforce the Order prior to 12 noon on 30<sup>th</sup> November 2021;

## **REASONS FOR DECISION**

8. Considering the Parties had reached clear agreement in relation to the manner in which the case should be dealt with the Tribunal acceded to the terms of the agreement and granted an Order in those terms.

## **DECISION**

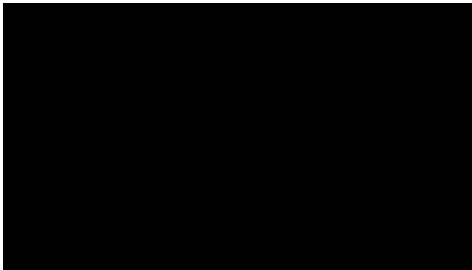
The Tribunal granted an order to Officers of Court to eject the Respondents and family, servants, dependants, employees and others together with their goods, gear and whole belongings forth and from the Property at 8 Teavarran, Kiltarlity, By Beauly, IV4 7HT and to make the same void and redd that the Applicants or others in their name may enter thereon and peaceably possess and enjoy the same.

Order not to be executed prior to 12 noon on 30 November 2021



## 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.



27 August 2021

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Legal Member/Chair

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Date