



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 33 of the Housing (Scotland)
Act 1988**

Chamber Ref: FTS/HPC/EV/20/2231

Re: Property at 18 Dunkeld Place, Dundee, Angus, DD2 2HW (“the Property”)

Parties:

**Mr Anuj Babber, 9 Scarborough Drive, Croxley Green, Rickmansworth, WD3
3FW (“the Applicant”)**

**Mr Daniel McNamee, 18 Dunkeld Place, Dundee, Angus, DD2 2HW (“the
Respondent”)**

Tribunal Members:

Mark Thorley (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order of eviction be granted.**

Background

**The applicant applied under Rule 66 to the Housing and Property Chamber for
an order of eviction.**

**Accompanying the application dated 21 October 2020 were the following
documents:-**

- 1. Tenancy Agreement.**
- 2. AT5.**
- 3. Notice to Quit.**
- 4. Section 33 Notice.**
- 5. Recorded delivery receipt relating to the Notices.**
- 6. Section 11 Notice.**
- 7. Email to Local Authority intimating Section 11 Notice.**

The application was acknowledged on 23 October 2020 and on 4 November 2020 it was confirmed the application was accepted and would proceed to a Tribunal for determination.

The respondent was invited to make written representations by 30 November 2020. No written representations have been received.

The application was served by Sheriff Officers on 11 November 2020.

Case Management Hearing

Ms Morrison from Messrs TC Young Solicitors appeared on behalf of the applicant. There was no appearance by or for the respondent.

The hearing was conducted by teleconference.

Findings in Fact

- 1. The parties entered into a Short Assured Tenancy Agreement dated 1 February 2017 for the property at 18 Dunkeld Place, Dundee, Angus DD2 2HW.**
- 2. The commencement date of the tenancy was from 1 February 2017 with rent payable at the rate of £485 per calendar month.**
- 3. A Notice to Quit was issued to the respondent on 13 February 2020.**
- 4. An AT5 had been issued to the respondent on 1 February 2017.**

Reasons for Decision

The applicant's agent confirmed the information contained within the documents. All the appropriate Notices have been served. There were no written representations and the respondent did not attend on the line.

The Tribunal was satisfied on the basis of the paperwork received and on the oral representations and granted the order.

Decision

To grant an order of eviction.

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

16 December 2020

Legal Member/Chair

Date