



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/21/0217

Re: Property at 17 Glamis Gardens, Polmont, FK2 0YJ (“the Property”)

Parties:

Mr Martin Young, 31B Townsend Road, Seven Sisters, London, N15 4NT (“the Applicant”)

Mr Ian Ronald, 17 Glamis Gardens, Polmont, FK2 0YJ (“the Respondent”)

Tribunal Members:

Mark Thorley (Legal Member) and Eileen Shand (Ordinary 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

1. The applicant applied to the First-tier Tribunal for Scotland Housing and Property Chamber on 18 January 2021. Accompanying the application was an Inventory of Productions. The Inventory of Productions contained the following documents:-
 - (i) Tenancy Agreement
 - (ii) Form AT5
 - (iii) Notice to Quit
 - (iv) Section 33 Notice
 - (v) Recorded delivery receipt relating to the Notices
 - (vi) Section 11 Notice
 - (vii) Email to Local Authority with Section 11 Notice
 - (viii) Rent Statement

2. The application was subsequently received on 1 February 2021 and on 8 February 2021 was accepted.
3. The application was served by Sheriff Officers.
4. No representations have been received from the respondent.

Case Management Hearing

5. At the case management hearing Ms Caldwell from TC Young, Solicitors attended on the teleconference on behalf of the applicant. There was no attendance by or for the respondent.

Findings in Fact

1. The parties entered into a Tenancy Agreement dated 13 September 2017 for the rental of the premises at 17 Glamis Gardens, Polmont FK2 0YJ.
2. Rent agreed was £425 per calendar month payable in advance.
3. A Notice to Quit was served on the respondent on 2 June 2020. The appropriate Notices under section 33 had also been served.
4. An order of eviction is granted.

Reasons for decision

The applicant through his agents attended at the teleconference. There was no appearance by or for the respondent. No representations have been received. All the paperwork placed before the Tribunal was in order. There was a Notice to Quit that had been served on the respondent. The Section 33 Notices had also been served.

The Tribunal accepted the evidence that was contained within the paperwork that had been lodged and also the oral evidence which was provided by the agent for the applicant and granted decree.

Decision

To grant an order of eviction of the respondent

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

14/04/2021

Legal Member/Chair

Date

Mark Thorley