



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

Chamber Ref: FTS/HPC/EV/22/4481

Re: Property at 3 Victoria Crescent, Ayr, South Ayrshire, KA8 9TL (“the Property”)

Parties:

Clyde Coast Contracts, 36 green Street, Ayr, South Ayrshire, KA8 8BQ (“the Applicant”)

Mrs Afton Adair, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Virgil Crawford (Legal Member) and Melanie Booth (Ordinary Member)

Decision

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

BACKGROUND

1. By Lease dated 28th February 2021 the Applicant et the Property to the Respondent;
2. The Respondent appears thereafter to have vacated the premises. The Applicant served a Notice to Leave seeking to terminate the tenancy, the ground relied upon being that the Respondent was not longer occupying the Property;
3. The Respondent thereafter raised proceedings seeking an order for eviction. The Tribunal assigned a case management discussion for 21st April 2023. That case management discussion required to be postponed as Sheriff

Officers were unable to locate the Respondent to intimate the proceedings upon her;

4. The Tribunal assigned a further case management discussion for 19th May 2023. Service upon the Respondent was effected by way of advertisement on the Tribunal website;

CASE MANAGEMENT DISCUSSION

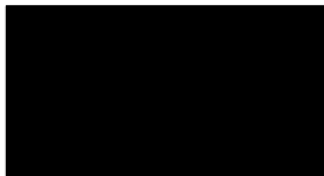
5. Neither party participated in the case management discussion. The proceedings had been intimated upon the Applicant by the Tribunal. The Tribunal had a certificate of service by advertisement in relation to the Respondent;
6. In the circumstances, given that no party participated in the case management discussion and given, on the basis of the information available, the respondent has vacated the premises some time ago, the Tribunal dismissed the application for want of insistence.

DECISION

The Tribunal dismisses the application

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.



19 May 2023

Legal Member/Chair

Date