



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51(1) of the Private Housing (Tenancies) Act (Scotland) 2016 (“The Act”)

Chamber Ref: FTS/HPC/EV/23/1692

Re: Property at 47 Playingfield Road, Crosshouse, East Ayrshire, KA2 0JJ (“the Property”)

Parties:

Mr John Mulhern, 58 Tantallon Drive, Paisley, PA2 9HS (“the Applicant”)

Ms Lauren Murphy, 47 Playingfield Road, Crosshouse, East Ayrshire, KA2 0JJ (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Ann Moore (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) dismissed the Application.

Background

The Applicant seeks an Eviction Order under ground 12 of Schedule 3 of the Act.

The Case Management Discussion

The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 18 August 2023. The Application and information about how to join the conference call had been served on the Respondent by Sheriff Officers. The Applicant had also been notified of the CMD in advance. However, without any explanation, neither party was in attendance.

Decision

The Tribunal dismissed 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.

A McLaughlin

Legal Member/Chair

18 August 2023

Date