



**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/18/1348

Re: Property at 11 Huron Avenue, Livingston, EH54 6LF (“the Property”)

Parties:

**Mrs Janice Kerr Bennie, 6 Easterlongridge Crofts, Longridge, West Lothian
 (“the Applicant”)**

**Ms Kerry Marie Gowland, 11 Huron Avenue, Livingston, EH54 6LF (“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 the order for against the Respondent for
 possession of the Property under section 33 of the Housing (Scotland) Act
 1988.**

Background

**By application dated 29 May 2018 the Applicant applied to the Tribunal under
 Rule 66 . The application was accompanied by the Tenancy Agreement, Form
 AT5, Notice to Quit and Section 11 notice.**

Case Management Discussion

**Mr Runciman solicitor appeared for the Applicant. There was no appearance
 by the Respondent. Papers had been served on the Respondent personally by
 sheriff officers on 26 July 2018. No written representations had been received
 by the Tribunal.**

Findings in Fact

The tenancy between the parties was constituted by the Tenancy Agreement dated 15 May 2010.

A valid notice to quit was served on the Respondent on 17 March 2018.

All other paper work was in order.

The Respondent had not removed from the property.

Reasons for Decision

All paperwork was in order so the order for possession was granted but the application for expenses was refused. The Respondent had not lodged a written response or attended at the Case Management Discussion. There was no conduct by the Respondent that was unnecessary or unreasonable.

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

Legal Member/Chair

21 AUGUST 2018

Date