

Housing and Property Chamber
First-tier Tribunal for Scotland



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/18/1594

Re: Property at 1C Woodbush Court, Dunbar, EH42 1JE (“the Property”)

Parties:

Ms Avril Gilchrist or Lane, C/O Garden Stirling Burnet, 121 High Street, Tranent, EH33 1LW (“the Applicant”)

Mr William McDonald, 1C Woodbush Court, Dunbar, EH42 1JE (“the Respondent”)

Tribunal Members:

Mark Thorley (Legal Member) and Frances Wood (Ordinary Member)

Decision (in absence of the Respondent)

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

Background

By application dated 25 June 2018 the applicant applied to the tribunal under Rule 65 for an order of possession of the property. The application was accompanied by a short assured tenancy minute of lease dated 23 October 2015, Form AT5, Form AT6, Notice to Quit and Section 11 notice.

Hearing

At the hearing Ms Ashley Irwin appeared on behalf of the applicant.. There was no appearance by or on behalf of the respondent. Papers had been served on the respondent by sheriff officer.

Findings in Fact

- The tenancy between the parties was constituted by the minute of lease dated 23 October 2015.
- Rent arrears amounting to £5416.35 had accrued
- The Respondent had received all the relevant paperwork

Reasons for decision

The tribunal were satisfied that rent was due in respect of the tenancy and that the notice to quit and remaining documentation had been served properly

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

6 September 2018

Date