



**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/18/0200**

**Re: Property at 64b Station Road, Milngavie, Glasgow, G62 8BX (“the  
Property”)**

**Parties:**

**Mr Gary Forsyth, 55 Kersland Street, Glasgow, G12 8BS (“the Applicant”)**

**Mr John McArthur, 64b Station Road, Milngavie, Glasgow, G62 8BX (“the  
Respondent”)**

**Tribunal Members:**

**Nairn Young (Legal Member)**

**Decision (in absence of the Respondent)**

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

- Background

This is an application for an order for possession of the Property. It called for a Case Management Discussion at 2pm on 5 November 2018 at the Glasgow Tribunal Centre. The Applicant was present in person and represented by Ms Wall of DHW Legal, Solicitors. The Respondent was not present or represented and had made no written representations.

- Findings in Fact

The following facts are found to be established, being unchallenged by the Respondent:

1. The Property was let by the Applicant to the Respondent in terms of a short assured tenancy from 1 March 2017 to 31 October 2017, inclusive (“the

tenancy'). The tenancy was brought to an end by service of a notice to quit on the Respondent on 30 August 2017, by Sheriff's Officers. At the same time, a notice under s.33(1)(d) the Housing (Scotland) Act 1988 was served on the Respondent. No further contractual tenancy has been entered into by the parties. The Respondent has remained in possession of the Property since the termination of the tenancy, in terms of statutory assured tenancy.

- Reasons for Decision

The short assured tenancy has reached its end; tacit relocation is not operating; no further contractual tenancy is in existence; and the Applicant has notified the Respondent that he requires possession of the Property. I am therefore bound by s.33 of the Housing (Scotland) Act 1988 to grant an order for possession.

- Decision

Order for possession of the Property granted.

### 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.**

N Young

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Legal Member/Chair

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Date

5 NOVEMBER 2018