

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 18 of the Housing (Scotland)
Act 1988**

Chamber Ref: FTS/HPC/EV/18/3142

**Re: Property at 38 Duncan Court, Kilmarnock, Ayrshire, KA3 7TF (“the
Property”)**

Parties:

**Mr John Dobson, 11 George Young Drive, Darvel, Ayrshire, KA17 0LG (“the
Applicant”)**

**Ms Jacqueline Forbes, 38 Duncan Court, Kilmarnock, Ayrshire, KA3 7TF (“the
Respondent”)**

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the eviction order should be granted.**

Background

The Applicant lodged an application with the Tribunal on 22nd November 2018,
seeking eviction of the Respondent from the Property.

Along with the Application, the Applicant lodged the following documents:

1. AT5
2. Short Assured Tenancy Agreement
3. Section 33 Notice
4. Notice to Quit
5. Section 11 Notice

Case Management Discussion

The Applicant was represented by Hollie McDicken of DW Shaw, Solicitors. The Respondent did not appear and was not represented.

Miss McDicken presented the case for eviction, based on the Tenancy Agreement and the notices served.

Findings In Fact

1. The parties entered in to a Tenancy Agreement dated 13/2/17 for rent of the property.
2. The initial term of the lease was from 13/2/17 to 13/8/17, and thereafter on a monthly basis.
3. Notice to Quit and Section 33 Notice were correct and had been served on the Respondent.
4. Service of said Notices ended the Tenancy.

Reasons For Decision

The tenancy had been brought to an end correctly.

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 Kelly

Legal Member/Chair



Date

22/11/19