

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 58 of the Private Housing (Tenancies) (Scotland) Act 2016: FTS/HPC/PR/20/2276

Re: Property at 8 Woodfield Crescent, Ayr, KA8 8NU (“the Property”)

Parties:

Miss Kristin-Anne McClure, 110 Obree Avenue, Prestwick, KA9 2NW (“the Applicant”)

Mr John Hogg, 7 Whitehall Avenue, Prestwick, KA9 1HT (“the Respondent”)

Tribunal Member:

Melanie Barbour (Legal Member) and Leslie Forrest (Ordinary Member)

Decision (in absence of the Applicant and the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that it would dismiss the application in terms of rule 27(2) of the First Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017

1. An application was made to the First Tier Tribunal for Scotland (Housing and Property Chamber) under Rule 110 of the First Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 (“the 2017 Rules”) seeking an order for wrongful termination.
2. A case management discussion took place on 6 January 2021. Both parties attended that discussion. Reference is made to the case management discussion note. The decision of that discussion was that the application would proceed to a hearing. Further procedure had taken place since that date with both parties seeking adjournments to hearing dates fixed due to other commitments. A hearing date had been set for today, 23 June 2021.
3. Notice of today’s hearing had been sent by email to the parties on 20 May 2021. No postponement request for today’s hearing had been received by the tribunal.

4. There was no appearance by either party at today's hearing.
5. In terms of Rule 27 of the Tribunal Rules 2017 as no party appeared, the tribunal dismissed the applicant's 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.

Melanie Barbour

Legal Member/Chair

23 June 2021

Date