



DECISION NOTICE OF SHERIFF ANTHONY FREDERICK DEUTSCH

ON AN APPLICATION TO APPEAL

in the case of

MR VINCENT MCDAID, Flat E, 5 Rose Street, Kirkintilloch, G33 1NS

Appellant

and

FIRST-TIER TRIBUNAL FOR SCOTLAND HOUSING AND PROPERTY CHAMBER,  
Glasgow Tribunals Centre, 20 York Street, Glasgow, G2 8GT

Mr FRASER CRAIG, c/o Hardy Macphail, 5th Floor Atlantic Chambers, 45 Hope Street,  
Glasgow, G2 6AE

per HARDY MACPHAIL,

5th Floor Atlantic Chambers, 45 Hope Street, Glasgow, G2 6AE

Respondents

**FTT Case Reference HPC/EV/18/0856**

**Decision**

Glasgow 26 November 2018. The Upper Tribunal refuses leave to appeal.

**Note**

[1] I have refused leave to appeal in this case because the application for permission to appeal does not identify any arguable point of law. It is clear from the decision of the **First-**

tier Tribunal that it was not in dispute that the parties entered into a short assured tenancy agreement on 7 February 2017. A landlord does not require to be the owner of the property over which he grants a lease. All that is required is that he is in a position to grant exclusive possession to the tenant. Moreover pages 65-71 of the applicant's submissions tend to show that Mr Craig is in fact the owner of the property.