



**Upper Tribunal
(Immigration and Asylum Chamber)**

Appeal Number: HU/12308/2017

THE IMMIGRATION ACTS

**Heard at Field House
On 22 August 2019**

**Decision & Reasons Promulgated
On 02 September 2019**

Before

UPPER TRIBUNAL JUDGE PITT

Between

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

and

**RAMA DARDAN
(ANONYMITY DIRECTION NOT MADE)**

Respondent

Representation:

For the Appellant: Mr Walker, Senior Home Office Presenting Officer

For the Respondent: Mr Muquit, Counsel, instructed by Malik & Malik Solicitors

DECISION AND REASONS

1. This is an appeal against the decision dated 5 June 2018 of First-tier Tribunal Judge Andrew which allowed the appeal of Mr Dardan against a decision dated 5 October 2017 refusing his human rights claim in the context of deportation.
2. For the purposes of this decision, I refer to the Secretary of State for the Home Department as the respondent and to Mr Dardan as the appellant, reflecting their positions before the First-tier Tribunal.

3. The appellant is a national of Kosovo, born on 3 January 1988. He came to the UK in 2002 and was granted indefinite leave to remain on 5 April 2007. On 25 September 2013 he was convicted of a Class A drug offence and sentenced to 42 months imprisonment. The respondent made a deportation order against him on 3 October 2017, also refusing his human rights claim in a decision of the same date.
4. The First-tier Tribunal found that the appellant met the provisions of paragraph 399A of the Immigration Rules and Section 117C(iv) of the Nationality and Immigration Act 2002. In paragraph 15 of the decision the judge found that the appellant had lived legally in the UK for most of his life. In paragraph 16 she found that he was socially and culturally integrated. In paragraphs 18 and 23 she found that he would face very significant obstacles to reintegration in Kosovo. None of those findings are challenged in the grounds of appeal on which permission to appeal was granted, the grounds only challenging the findings on family life and paragraphs 399/s.117C(v).
5. Mr Walker conceded that where there is no challenge to the findings on paragraph 399A/s.117C(iv) they must stand and even if there was an error in other parts of the assessment, that could not have led to a different outcome. There is therefore no material error in the decision.

Notice of Decision

The decision of the First-tier Tribunal does not contain an error on a point of law and shall stand.

Signed: 
Upper Tribunal Judge Pitt

Date: 22 August 2019