



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/EV/25/4433

Re: Property at 58 Rowett South Drive, Bucksburn, Aberdeen, AB21 9GB (“the Property”)

Parties:

Places for People Scotland, 1 Hay Avenue, Edinburgh, EH16 4RW (“the Applicant”)

Mr Liam Buchan, 58 Rowett South Drive, Bucksburn, Aberdeen, AB21 9GB (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member) and Mary Lyden (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that (i) Ground 12 of Schedule 3 to the Private Housing (Tenancies) (Scotland) Act 2016 for eviction is satisfied, (ii) it is reasonable to grant an eviction order, and (iii) for the purposes of s.51(4) of the 2016 Act, the Private Residential Tenancy between the parties will terminate on 25 May 2026.

Statement of Reasons

1. This Application called for its Case Management Discussion by teleconference on 24 April 2026 together with the related application CV/25/4434. The Applicant was represented by Mr Caldwell, solicitor. The Respondent was neither present nor represented.
2. In this Application the Applicant seeks an eviction order under Ground 12 of Schedule 3 to the Private Housing (Tenancies) (Scotland) Act 2016. The Applicant contends that the Respondent is in, and has been in, rent arrears

for a continuous period in excess of three calendar months and that it is reasonable to grant an eviction order.

3. The Tribunal raised a query regarding the designation of the Applicant, which was “Castle Rock Edinvar Housing Association Ltd in association with Places for People Scotland”, on the basis that a tenancy where the landlord is a registered social landlord within the definition given in section 165 of the Housing (Scotland) Act 2010 cannot be a private residential tenancy (Private Housing (Tenancies) (Scotland) Act 2016, s.1(1)(c) and Sch.1, para.14). Mr Caldwell confirmed that the designation of the Applicant was a drafting infelicity. He explained that the Property is owned by Castle Rock Edinvar Housing Association Ltd, which is a registered social landlord, but is made available to and let by Places for People Scotland on what is known as a mid-market rental basis. The landlord is Places for People Scotland, as the tenancy agreement provides. Mr Caldwell invited the Tribunal to amend the designation of the Applicant and, having been satisfied with that explanation, the Tribunal did so.
4. Mr Caldwell confirmed that the Respondent was in rent arrears of £9,151.60. No rent payments had been received since March 2025. There had been no contact from the Respondent since then. The Applicant’s letting agent had issued two pre-action letters that were not responded to. Mr Caldwell’s firm had also issued two pre-action letters that were not responded to. Attempts to contact the Respondent had been made by telephone, email and text message. None were responded to. The email address of the Respondent is a work email address. There were no apparent delivery issues with emails sent to the Respondent at that address. The Respondent is 28 years old. He has a three-year old daughter who resides with him at least some of the time, though the frequency of such residence is unknown. The Applicant is unaware of whether the Respondent qualifies for or receives any state benefits, but no payments historically made by the Respondent appeared to be from any state benefits. The Respondent was at least formerly employed by Asda and is believed to still be in such employment standing that emails to his Asda email address have not bounced back. The Respondent previously submitted an income and expenditure table as part of his application for the tenancy, in terms of which he noted a monthly net income of slightly less than £2,500 and monthly outgoings of approximately £1,700. The PRT was his first tenancy. He initially managed his tenancy well, but that stopped in March 2025.
5. In terms of Rule 17(4) of the Rules, the Tribunal may do anything at a Case Management Discussion that it may do at a Hearing including make a Decision. In terms of Rule 2, the Tribunal must have regard to the overriding objective to deal with proceedings justly when making a decision, which includes the need to avoid unnecessary delay.
6. The Respondent has received notice of the application and has neither lodged written representations nor appeared at the CMD. In the circumstances, the Tribunal is satisfied that he does not contest that he is in rent arrears as asserted by the Applicant. The Respondent has chosen not to make submissions challenging the reasonableness of granting an eviction order.

Having heard from Mr Caldwell, the Tribunal was satisfied that it was reasonable to grant the eviction order in all of the circumstances.

7. The Tribunal's determination was unanimous.

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.

Andrew Upton

24 April 2026

Legal Member/Chair

Date