



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 (“the 2016 Act”)

Chamber Ref: FTS/HPC/EV/25/5259

Re: Property at 2/1 27 MOSS STREET, PAISLEY, PA1 1DJ (“the Property”)

Parties:

DBG Properties, 719 Cathcart Road, Glasgow, G42 8UA (“the Applicant”)

Mr Kevin Barry Blaney, 2/1 27 MOSS STREET, PAISLEY, PA1 1DJ (“the Respondent”)

Tribunal Members:

Anne Mathie (Legal Member) and Ahsan Khan (Ordinary Member)

Decision (in absence of the Respondent)

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

Background

1. An application was lodged with the Tribunal dated 4 December 2025 in terms of Rule 109 of the Chamber Rules, being an application for a Private Residential Tenancy Eviction Order. Along with the application form was lodged:
 - A paper apart
 - Notice to Leave and proof of service
 - Tenancy agreement
 - Rent schedule
 - PARs letter
 - Section 11 notice and proof of service.
2. The application was accepted and a copy of the application and accompanying documents was served on the Respondent by Sheriff Officers on 8 May 2026 along with notification of today’s case management discussion confirming that the Respondent was required to attend.

3. The case management notification letter served on the Respondent stated that written representations required to be lodged by 27 May 2026. The letter further stated:
“The tribunal may do anything at a case management discussion which it may do at a hearing, including making a decision on the application which may involve making or refusing a payment order. If you do not take part in the case management discussion, this will not stop a decision or order being made by the tribunal if the tribunal considers that it has sufficient information before it to do so and the procedure has been fair.”
4. There has been no written representations lodged by the Respondent.
5. The Applicant’s agents submitted an up-to-date rent schedule to the Tribunal on 29 May 2026.

Case Management Discussion

6. The case management discussion took place today by teleconference. There was no attendance by or on behalf of the Respondent. Ms Thorpe of Jackson Boyd solicitors attended on behalf of the Applicant. Ms Thorpe moved the Tribunal to grant the eviction order on the basis that Ground 12 of Schedule 3 of the 2016 Act was satisfied. She understood there had been no communication from the Respondent since 31 October 2025 and rent arrears now stood at £7735. She was unable to confirm further correspondence in compliance with the Pre-action Protocol but assumed those instructing her had attempted to address the rent arrears prior to the correspondence lodged in the case dated 22 October 2025. Other than the information that the Respondent had been in touch with the letting agents on 31 October 2025 to say he had lost his job and was going to apply for Universal Credit, she knew nothing further about the benefits situation. Ms Thorpe could not provide the Tribunal with much information about the Respondent’s circumstances but understood there to be no children residing at the Property and no disabilities. The Applicant’s agent understood that the Applicant had a number of properties.

Findings in Fact

7. The Tribunal made the following findings of fact:
 - Parties entered into a private residential tenancy agreement commencing 3 March 2025;
 - In terms of the tenancy agreement the Respondent was due to pay £595 per calendar month in rent;
 - The Respondent had not paid any rent since April 2025;
 - Arrears were now substantial at £7735.

Reasons for Decision

8. The Tribunal took into account all the written information and documents before it along with the oral submissions of the Applicant’s agent at today’s case management discussion. The Tribunal took account of the apparent lack of engagement of the Respondent and the terms of the case management

discussion notification letter served on the Respondent on 8 May 2026. There was some evidence of the Applicant following the terms of the Pre Action Protocol. There was limited information about the Respondent's circumstances although the Applicant's agent advised she believed there were no children residing at the Property and no relevant disabilities. The level of rent arrears was substantial with no payments of rent having been made in over a year. In all the circumstances it was reasonable that the eviction order be granted.

Decision

Order for possession granted

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.

Anne Mathie

Legal Member/Chair

Date 12 June 2026