



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 (“The Act”)

Chamber Ref: FTS/HPC/EV/25/3584

Re: Property at Glenrath Hope, Kirkton Manor, Peebles, EH45 9JW (“the Property”)

Parties:

Lady Caroline Dalmeny, 1 Leo Yard, London, EC1V 4LF (“the Applicant”)

Mr Kris Swapp, Abbie Philip, Glenrath Hope, Kirkton Manor, Peebles, EH45 9JW (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Eileen Shand (Ordinary Member)

Decision (in absence of the Respondent)

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made an Eviction Order.

Background

[2] The Applicant seeks an Eviction Order under ground 1 of Schedule 3 of the Act. The Application is accompanied by a copy of the tenancy agreement and the notice to leave with proof of service.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 10am on 23 June 2026. The Applicant was represented by her solicitor, Ms Smith of Brodies. There was no appearance by or on behalf of the Respondents. On the basis that

the Respondents had received notice of the CMD and information about how to join the call by Sheriff Officers, the Tribunal decided to proceed in the absence of the Respondents. The Applicant had no preliminary matters to raise. Having heard from the Applicant, the Tribunal made the following findings in fact.

Findings in Fact

- 1. The Applicant let the property to the Respondents by virtue of a Private Residential Tenancy Agreement within the meaning of the Act;*
- 2. The Applicant now wishes to sell the Property on account of a desire to reshape her portfolio.*
- 3. The Applicant has competently served a notice to leave under ground 1 on the Respondent;*
- 4. The Applicant has complied with Section 11 of the Homelessness (etc) (Scotland) Act 2003;*
- 5. The Respondents have not engaged with the Tribunal process.*

Reasons for Decision

[4] Having made the above findings in fact, the Tribunal considered that ground 1 of Schedule 3 of the Act was established and that it was reasonable to make an Eviction Order. The Tribunal granted the 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.

Andrew McLaughlin

Legal Member/Chair

23 June 2026

Date

