

Housing and Property Chamber

First-tier Tribunal for Scotland



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/25/3841

Re: Property at 83 Crofton Ave, Glasgow, G44 5HY (“the Property”)

Parties: Mr Keith Pettit and Mrs Carol Pettit, 2 Dalmore Crescent, Helensburgh, G84 8JP (“the Applicants”) and

Ritehome Ltd, 350 Glasgow Harbour Terraces, Glasgow, G11 6EG (the Applicants’ Representative”) and

Mr Phillip Cree and Mr Alan Cree, 83 Crofton Ave, Glasgow, G44 5HY (“the Respondents”) and

Castlemilk Law Centre, 155 Castlemilk Drive, Glasgow, G45 9UG (“the Respondents’ Representative”)

Tribunal Members:

G McWilliams- Legal Member

H Barclay - Ordinary Member

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined as follows:

Background

1. This Application, contained in papers lodged with the Tribunal, was brought in terms of Rule 109 (Application for an eviction order) of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the 2017 Rules”).
2. A Case Management Discussion (“CMD”) had proceeded remotely by telephone conference call on 16th March 2026. Reference is made to the Notes on that CMD.

Evidential Hearing

3. An evidential Hearing proceeded remotely by telephone conference call at 10am on 16th July 2026. The Applicants' Representative's Mr R Nixon as well as both Respondents and their Representative's Ms M Smith attended. Mr Nixon and Ms Smith discussed matters with the Tribunal candidly. Mr Nixon stated that the Applicants wish to sell the Property to assist the Applicant Mrs Pettit, who is elderly, following her sad loss of her husband last year. Ms Smith stated that the Respondents wish to obtain a tenancy of a more suitable property, in particular given Mr P Cree's health conditions. She said that the Respondents have applied for an alternative tenancy to Glasgow City Council and various Housing Associations. Having discussed matters, Mr Nixon, on behalf of the Applicants, Ms Smith and the Respondents agreed that an eviction order should be granted by the Tribunal, with a deferred enforcement date of 2nd November 2026.

Decision

4. In the circumstances the Tribunal decided that it was unnecessary to hear evidence and make findings in fact and law in respect of this Application. They decided that it was reasonable to grant an eviction order, with a deferred enforcement date of 2nd November 2026, as agreed by the parties.

Observation

5. During discussions at the Hearing the Tribunal noted that the parties have two separate, outstanding Housing and Property Chamber Tribunal cases, regarding rent arrears and property repairs. Having agreed an amicable settlement of this Application case the Tribunal encourage the parties and Representatives to have dialogue regarding possible resolution of the other cases. If the outstanding cases can also be settled all parties will be able to move on.

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.

Gerald McWilliams

16th July 2026

Tribunal Legal Member

Date