



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/26/0136

Re: Property at 1/2 46 Windsor Crescent, Clydebank, G81 3JY (“the Property”)

Parties:

Marshall Property Services Ltd, 90 Shakespeare Avenue, Clydebank, G81 3HA (“the Applicant”)

Miss Wendy Lyttle, 1/2 46 Windsor Crescent, Clydebank, G81 3JY (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member) and Elaine Munroe (Ordinary Member)

Decision

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

- Background

This is an application for an eviction order against the Respondent, who occupies the Property in terms of a private residential tenancy agreement with the Applicant. It called for a case management discussion at 2pm on 11 August 2026, by teleconference. The Applicant was represented on the call by Ms Michelle Gabriel of Clydebank Estate Agents. The Respondent was on the line in-person.

- Findings in Fact

The application proceeds as unopposed. The following were the relevant facts, as set out in the application, upon which the Tribunal made its decision:

1. The Respondent lets the Property from the Applicant under a private residential tenancy agreement, with a start date of 4 April 2025.
2. Prior to that agreement, the Respondent had occupied the Property in terms of an assured tenancy: meaning she has been in occupation for over 11 years in total.
3. The Applicant intends to carry out an extensive refurbishment of the Property.
4. The Applicant is the owner of the Property.
5. It would not be practicable for the Respondent to continue to occupy the Property while the refurbishment is completed.
6. The Respondent occupies the Property with her 18 year old daughter.
7. Aside from some minor adaptation, the Property has not been altered to suite the Respondent or her daughter's needs; indeed, being on the second floor, it is rather unsuitable for them.
8. The local authority has indicated that it will not assist in rehousing the Respondent unless and until an order for her eviction has been granted.

- Reasons for Decision

9. The requirements of the ground pled in this case have been met. In particular, it is reasonable for the order to be granted. The Respondent accepts that significant work is required to the Property to refurbish it. She also indicated

that the Property is no longer entirely suitable for her needs. An order for her eviction being granted will allow her to access support from the local authority in sourcing alternative accommodation.

- Decision

Eviction order 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.

Nairn Young

Legal Member/Chair

Date: 11 August 2026