



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 33 of the Housing (Scotland)
Act 1988**

Chamber Ref: FTS/HPC/EV/26/0725

**Re: Property at 14 Muir Street, Bishopbriggs, Glasgow, G64 1QQ (“the
Property”)**

Parties:

**Mrs Lorna Woodward, 71 Meadowburn, Bishopbriggs, Glasgow, G64 3HA (“the
Applicant”)**

**Miss Hollie Ferguson, 14 Muir Street, Bishopbriggs, Glasgow, G64 1QQ (“the
Respondent”)**

Tribunal Members:

Alison Kelly (Legal Member) and Elaine Munroe (Ordinary Member)

Decision (in absence of the Respondent)

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

1. On 13th February 2026 the Applicant lodged an Application with the Tribunal under Rule 66 of the First Tier Tribunal for Scotland (Housing and Property Chamber Rules of Procedure) 2017 (“The Rules”), seeking an order to evict the Respondents from the property.
2. Lodged with the application were: -
 - a. Short Assured Tenancy Agreement initially running from 2nd December 2016 to 2nd June 2017 and monthly thereafter, and with monthly rent of £450;
 - b. AT5 Notice dated 4th November 2016;
 - c. Notice to Quit dated 23rd September 2025 for 2nd December 2025;
 - d. Section 33 Notice dated 23rd September 2025 for 2nd December 2025;
 - e. Proof of service of c and d;
 - f. Section 11 Notice and proof of service;

- g. Estate Agent valuation
 - h. Emails between the parties
3. The Application was served on the Respondent by Sheriff Officers on 23rd June 2026.

Case Management Discussion

4. The Case Management Discussion ("CMD") took place by teleconference on 27th July 2026. The Applicant represented herself. There was no attendance by the Respondent nor any representative on her behalf.
5. The Chairperson explained the purposes of a CMD in terms of Rule 17 of the Rules. The Chairperson explained that the Applicant needed to provide sufficient evidence to establish the ground of eviction, and also that it was reasonable for the Tribunal to grant the order.
6. The Applicant sought an order for eviction in terms of sections 19 and 33 of the Housing (Scotland) Act 1988. She had served the correct notices timeously.
7. In relation to reasonableness she referred to the Respondent's circumstances, and the emails she had lodged from the respondent and the Respondent's mother, in which they both said that the property was no longer suitable for the Respondent and that she wished to move.

Findings in Fact

- i. The parties entered into a Short Assured Tenancy Agreement in respect of the property;
- ii. The tenancy commenced on 2nd December 2016 to 2nd June 2017 and monthly thereafter;
- iii. AT5 was served prior to the commencement of the tenancy;
- iv. Notice To Quit and Section 33 Notice were served timeously and correctly;
- v. The Short Assured Tenancy has reached its end;
- vi. Tacit relocation is not operating;
- vii. The Application was served on the Respondent by Sheriff Officer on 23rd June 2026;
- viii. The Respondent indicated by email that she wished to move from the property.

Reasons For Decision

8. Section 33 of the Housing (Scotland) Act 1988 is as follows:

(1) Without prejudice to any right of the landlord under a short assured tenancy to recover possession of the house let on the tenancy in accordance with sections

12 to 31 of this Act, the First-tier Tribunal may make an order for possession of the house if the Tribunal is satisfied—

(a) that the short assured tenancy has reached its finish;

(b) that tacit relocation is not operating;

(c)

(d) that the landlord (or, where there are joint landlords, any of them) has given to the tenant notice stating that he requires possession of the house and

(e) that it is reasonable to make an order for possession.

(2) The period of notice to be given under subsection (1)(d) above shall be—

(i) if the terms of the tenancy provide, in relation to such notice, for a period of more than two months, that period;

(ii) in any other case, two months.

(3) A notice under paragraph (d) of subsection (1) above may be served before, at or after the termination of the tenancy to which it relates.

(4) Where the First-tier Tribunal makes an order for possession of a house by virtue of subsection (1) above, any statutory assured tenancy which has arisen as at that finish shall end (without further notice) on the day on which the order takes effect.

(5) For the avoidance of doubt, sections 18 and 19 do not apply for the purpose of a landlord seeking to recover possession of the house under this section.

9. The Tribunal is satisfied that the Short Assured Tenancy has been brought to an end and that tacit relocation is not operating. The Tribunal is also satisfied that it is reasonable to grant the order. The property is no longer suitable for the Respondent and she has indicated by email that she wishes to move.

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.

Alison J Kelly

27.07.26

Legal Member/Chair

Date