



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/26/0620

Re: Property at 133 Drumoyne Road, Glasgow, G51 4BA (“the Property”)

Parties:

Whitten Property Ltd, 27 Weir Crescent, Denny, FK6 5FE (“the Applicant”)

Miss Julia Logue, 133 Drumoyne Road, Glasgow, G51 4BA (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Sara Hesp (Ordinary Member)

Decision

[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 3 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 relevant notice under Section 11 of the Homelessness (etc) (Scotland) Act 2003 is also produced.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 2 pm on 14 September 2026. The Applicant was represented by their own Mr David

Whitten. The Respondent was neither present nor represented. On the basis that the Respondent had received competent service of the Application and the details of the CMD, the Tribunal decided to proceed in the absence of the Respondent.

[3.2] Mr Whitten explained that there are significant repairing issues in the bathroom which require to be carried out. The situation is serious as the problem first became apparent when the Respondent put her foot through the bathroom floor. A temporary fix was carried out but more substantial works are required and are anticipated to take several months.

[3.3] Having heard from parties, the Tribunal made the following findings in fact.

Findings in Fact

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

Reasons for Decision

[4] Having made the above findings in fact, the Tribunal considered that ground 3 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

14 September 2026.
Date