



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/25/4082

Re: Property at Lower Cottage, 62 Truce Road, Knightswood, Glasgow, G13 3JL (“the Property”)

Parties:

Mr John Morgan, 1 Ascot Avenue, Glasgow, G12 0AX (“the Applicant”)

Ms Deanne McGhee, Lower Cottage, 62 Truce Road, Knightswood, Glasgow, G13 3JL (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member) and Angus Lamont (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an eviction order should be granted under ground 12 of Schedule 3 to the Private Housing (Tenancies) (Scotland) Act 2016.

Statement of Reasons

1. This Application called for a Hearing by teleconference call on 15 October 2026. The Applicant was represented by Mr Gardiner, solicitor. The Respondent was present.
2. In this Application the Applicant seeks an eviction order under ground 12 of Schedule 3 to the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”). He says that the Respondent is in rent arrears and that it is reasonable to grant the eviction order.
3. In advance of the Hearing the parties engaged in discussions with a view to limiting the matters in dispute. As a consequence of those discussions, the Respondent confirmed at the outset of the Hearing that she accepted she was

in rent arrears as contended by the Applicant and that she did not dispute that it was reasonable to grant the eviction order.

4. In terms of section 51(1) of the 2016 Act, the Tribunal must issue an eviction order if it finds that one of the eviction grounds in Schedule 3 of the 2016 Act apply.
5. In terms of paragraph 12(3) of Schedule 3 of the 2016 Act, “The First-tier Tribunal may find that [Ground 12] applies if- (a) for three or more consecutive months the tenant has been in arrears of rent, and (b) the Tribunal is satisfied that it is reasonable on account of that fact to issue an eviction order”.
6. The first part of Ground 12 was conceded by the Respondent. She accepted that she was in rent arrears as contended by the Applicant. According to the updated rent account produced by the Applicant in advance of the Hearing, the arrears were £16,790.
7. In respect of the second part of Ground 12, the Respondent no longer contested that. Her position was that she was told by the local authority that she had to stay in the Property until an eviction order was granted. The Respondent’s concession was a relevant and compelling consideration for the Tribunal. However, Ground 12 required the Tribunal to satisfy itself as to the reasonableness of granting the eviction order. In that respect, the Tribunal had particular regard to the very high level of arrears that the Respondent owed, the fact that she had not made any payment towards rent since October 2024, and the fact that she had been in receipt of universal credit but had not made payment of the housing element of that to the Applicant since October 2024. In those circumstances, the Tribunal unanimously determined that it was reasonable to grant the eviction order.
8. For the purposes of section 51(4) of the 2016 Act, the Private Residential Tenancy between the parties will terminate on 16 November 2026.

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.



15th October 2026

Legal Member/Chair

Date