

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/26/1176

Re: Property at 4 Cromer Gardens, Ruchill, Glasgow, G20 9JQ (“the Property”)

Parties:

Mr Edward Clack, 14 Huxley Place, Ruchill, Glasgow, G20 9JF (“the Applicant”) and

Miss Elizabeth McArthur, 4 Cromer Gardens, Ruchill, Glasgow, G20 9JQ (“the Respondent”)

Tribunal Members:

G McWilliams- Legal Member

G Darroch- Ordinary Member

Decision:

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to grant the Application.

Background and Case Management Discussion on 7th October 2026

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. The Applicant had provided the Tribunal, in the Application, with copies of the parties’ Private Residential Tenancy Agreement (“the PRT”), the Notice to Leave (“NTL”) served on the Respondent and the Section 11 (Homelessness Etc. (Scotland) Act 2003) Notice intimated to Glasgow City Council. All of these documents and forms had been correctly and validly prepared in terms of the provisions of the relevant legislation, and the procedures set out in the legislation had been correctly followed and applied.

3. A Case Management Discussion ("CMD") proceeded remotely by telephone conference call at 2pm on 7th October 2026. The Applicant Mr Clack, and the Respondent, Miss McArthur, attended.
4. Mr Clack and Miss McArthur discussed matters with the Tribunal candidly. Mr Clack stated Miss McArthur has been an excellent tenant. He said that he wishes to recover and sell the Property so that he can retire. Miss McArthur stated that the grant of an eviction order will give her various social applications priority. Having discussed matters, Mr Clack, Miss McArthur and the Tribunal agreed that an eviction order should be granted with a deferred enforcement date of 1st February 2027. All agreed that the intervening period will give Miss McArthur sufficient time to recover from medical surgery, which she is due to undergo on 8th October 2026, and to make arrangements to obtain a new tenancy and vacate the Property.

Decision

5. 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 1st February 2027, as sought by the parties.

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.

G McWilliams

Legal Member

7th October 2026

Date