



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

Chamber Ref: FTS/HPC/EV/22/3850

Property: 15 Scott Street, Galashiels TD11HW

Parties:

Robert P Slight & Sons Ltd Unit B, 1 Wallyford Industrial Estate, Wallyford, EH21 8QJ (“the Applicant(s)”)

Miss Danni Martin, Miss Chelsie Miller, 15 Scott Street, Galashiels, TD1 1HW (“the Respondent(s)”)

Tribunal Members:

Legal: Mr Mark Thorley

Ordinary: Miss Elizabeth Williams

Decision (in absence of the Respondent)

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

Background

1. The applicant applied to the First Tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”) by application dated 20 October 2022.
2. Accompanying the application were the following documents:
 - a. Tenancy Agreement dated 19 July 2018
 - b. Notice to Leave dated 4 July 2022
 - c. Certificates of intimation dated 5 July 2022
 - d. Letter from Your Move dated 4 July 2022
 - e. Section 11 Notice dated 20 October 2022



3. The application was presented under Rule 109. The applicant sought eviction on the ground that the applicant wished to sell the property.
4. The application was received by the tribunal on 21 October 2022.
5. On 14 November 2022 the application was accepted for determination.
6. The application was intimated to the respondents by sheriff officers on 22 December 2022.
7. No written responses were received following upon intimation of the application.

Case Management Discussion

1. Mr Blacklock from Messrs Blacklocks appeared on behalf of the applicant. There was no appearance by or for the respondent.
2. It was noted that the applicants were seeking to restructure the business and as a result required to sell the property.

Findings in Fact

1. The parties entered into a Private Residential Tenancy Agreement dated 19 July 2018 for the property at 15 Scott Street, Galashiels TD1 1HY. The tenancy was to commence on 1 August 2018 with rent payable at the rate of £600 per calendar month payable monthly and in advance.
2. The applicant wishes to sell the property.
3. The applicant has approached Your Move Estate Agents with an instruction to market the property.



Reasons for decision

1. The paperwork that the applicant had provided along with the application was in order. The respondents having received intimation of the proceedings provided no written response nor did they attend at the case management discussion.
2. The tribunal accepted the evidence that had been provided in written form and orally namely that the applicant wishes to restructure their business and to sell the property.
3. Having accepted that evidence the tribunal granted the order.

Decision

To grant an order for eviction of the respondents from the property at 15 Scott Street, Galashiels TD1 1HW.

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.



21st February 2023

Legal Member/Chair

Date