



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/25/0777

Re: Property at 51 Dryburn Avenue, Glasgow, G52 2RZ (“the Property”)

Parties:

Ms Olubusola Ojumu, 190A The Broadway, Loughton, IG10 3TF (“the Applicant”)

Ms Samantha Devlin, Mr Darren McMillan, 51 Dryburn Avenue, Glasgow, G52 2RZ; 55 Gladsmuir Road, Glasgow, G52 2JA (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Tony Cain (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 1 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 Respondent has taken legal advice and was now represented by Legal Services Agency. They had submitted representations setting out that the Respondent has no opposition to the Eviction Order being granted.

The Case Management Discussion

[3] The Application then called for a Case Management Discussion (“CMD”) by conference call at 2pm on 22 May 2025. The Applicant was personally present. The Respondent was also personally present together with her representative, Mr Sweeney of Legal Services Agency. The Tribunal discussed the Application with all

parties. The Respondent maintained her position regarding not opposing the order and the Applicant explained to the Tribunal why she wanted to sell the Property. She only owned this one investment Property and wanted out of the sector entirely.

[4] 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 sell the Property and cease being a landlord entirely.*
3. *The Applicant has competently served a notice to leave under ground 1 on the Respondent.*
4. *The Applicant has complied with Section 11 of the Homelessness (etc) (Scotland) Act 2003;*
5. *The Respondent is agreeable to leaving the Property and has taken legal advice.*

Reasons for Decision

[5] Having made the above findings in fact, the Tribunal considered that ground 1 of Schedule 3 of the Act was established and that it was reasonable to make an Eviction Order. The Tribunal granted the Application and made an Eviction Order.

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

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22 May 2025
Date