

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**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/24/3661**

**Re: Property at 60 Broomfield Street, Airdrie, ML6 9LX (“the Property”)**

**Parties:**

**Laura Alexander, 12 Larch Tree Crescent, Banchory, AB31 5BA (“the Applicant”)**

**Christene Roberts, 60 Broomfield Street, Airdrie, ML6 9LX (“the Respondent”)**

**Tribunal Members:**

**Richard Mill (Legal Member) and Ann Moore (Ordinary Member)**

**Decision**

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

**Introduction**

This is an application under Rule 109 and Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016. The application seeks an eviction order. Service of the proceedings and intimation of the Case Management Discussion (CMD) took place upon the respondent by Sheriff Officers on 25 March 2025.

The CMD took place by teleconference on 29 May 2025 at 2.00 pm. The applicant was represented by Ms Evelyn Hunter of HomeLink Estate and Letting Agents Ltd. The respondent joined personally and represented her own interests.

**Findings and Reasons**

The property is 60 Broomfield Street, Airdrie ML6 9LX. Mr Henry Anthony Johnston and Patricia Johnston, spouses, purchased the property in September 1992. They are both deceased. The applicant is Ms Laura Alexander who is the executrix and their daughter. The respondent is Christene Roberts who is the tenant. A private residential tenancy commenced on 26 April 2022. The rent was stipulated at £525 per month.

The applicant relies upon ground 1 of schedule 3 to the 2016 Act. This is an eviction ground where the landlord intends to sell the let property. The relevant notice period under ground 1 is one of 84 days.

The notice to leave relied upon in this case is dated 7 May 2025 and stipulates that the earliest an application be submitted to the tribunal would be 2 August 2024. There is evidence that the notice to leave was served upon the respondent by email on 7 May 2024. Sufficient statutory notice was given and the notice to leave is valid.

The applicant seeks to sell the property to wind up her parents' estates. The beneficiaries of the estate are the applicant and her brother. In support of the ground of eviction the applicant has produced a copy of a HomeLink Agency Agreement disclosing that a contract has been entered into with HomeLink Estate and Letting Agents Ltd who have been instructed as the estate agents to sell the property.

The tribunal was satisfied that it is the applicant's genuine intention to sell the let property. The tribunal proceeded to consider the issue of reasonableness on the making of an eviction order.

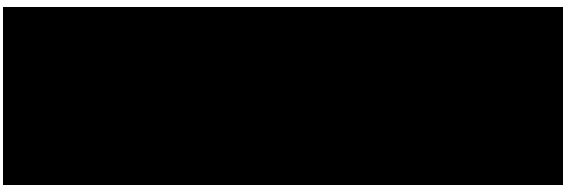
The respondent is not opposed to the application. She is 67 years of age and retired. She requires an eviction order to obtain Council housing.

A relevant Section 11 notice has been issued to the relevant local authority. The tribunal was satisfied that the respondent will be provided with alternate accommodation in the event of an eviction order being.

Weighing up the respective circumstances of the parties, the tribunal concluded that it was reasonable to grant the 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.**



**29 May 2024**

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**Date**