

**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 33 of the Housing (Scotland) Act 1988**

**Chamber Ref: FTS/HPC/EV/24/5223**

**Re: Property at 10A Parkhead Lane, Airdrie, ML6 6ND (“the Property”)**

**Parties:**

**Muirhouse Properties Ltd, 1 Glengowan, Millheugh Brae, Larkhall, ML9 1AS (“the Applicant”)**

**Ms Isobel McEwan, 10A Parkhead Lane, Airdrie, ML6 6ND (“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 order for eviction be granted against the respondent**

**Introduction**

1. This eviction application is under rule 66 and section 33 of the Housing (Scotland) Act 1988. Intimation of the application and of the Case Management Discussion (‘CMD’) was effected upon the respondent by Sheriff officers on 2 April 2025.
2. The CMD took place by teleconference on 10 June 2025 at 10.00 am. The applicant was represented by Mr Steven Rollo of Let Link Ltd. The respondent joined personally and represented her own.

**Findings and Reasons**

3. The property is 10A Parkhead Lane, Airdrie ML6 6ND. The applicant is Muirhouse Properties Ltd who is the heritable proprietor and registered landlord of the property. The respondent is Ms Isobel McEwan who is the tenant. The parties entered into a short assured tenancy which commenced on 9 March

2017 for an initial period until 9 March 2019. It has continued on a month to month basis since. Monthly rent was agreed at £440 month.

4. On 16 August 2024 the applicant served upon the respondent a Notice to Quit. In the terms of the said Notice to Quit, the applicant gave notice to the respondent that he would require to remove from the property on or before 9 November 2024. Further, on 16 August 2024 the applicant served upon the respondent Notice under Section 33(1)(d) of the Housing (Scotland) Act 1988 stating that possession was required of the property as at 9 November 2024. Proof of posting and evidence of delivery from the Royal Mail website shows that these items were delivered on 17 August 2024.
5. The short assured tenancy between the parties has reached its ish. Tacit relocation is not operating. No further contractual tenancy is in existence. The applicant has complied with the terms of Section 33(1)(d) of the Housing (Scotland) Act 1988.
6. The tribunal also requires to consider the reasonableness of the eviction order being granted.
7. The applicant company seeks to evict the respondent on the basis that it wishes to wind down their operations as commercial landlord by disposing of their residential properties.
8. The respondent is not opposed to the eviction application. She has physical disability. Her adult son aged 46, who works, also lives with her. The property is larger than she currently requires.
9. A section 11 notice under the Homelessness etc (Scotland) Act 2003 has been issued to North Lanarkshire Council. The local authority is under a statutory duty to make suitable alternative accommodation available. The respondent has already approached the Council.
10. The tribunal concluded that it was reasonable to grant the eviction order. To reflect the length of time the respondent has occupied the property and taking account of her disability the tribunal extended the period for any implementation of the Order by doubling the standard period to two months.

## **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.**

10 June 2025

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**Legal Member/Chair**

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**Date**