



**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) 2016**

**Chamber Ref: FTS/HPC/EV/25/0251**

**Re: Property at 1/7 Harrismith Place, Edinburgh, EH7 5PA (“the Property”)**

**Parties:**

**Mr Geoff Robb, 3 Cammo Grove, Edinburgh, EH4 8EU (“the Applicant”)**

**Mr Chris Cooper, 1/7 Harrismith Place, Edinburgh, EH7 5PA (“the Respondent”)**

**Tribunal Members:**

**Mark Thorley (Legal Member) and Robert Buchan (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order of eviction be granted but delayed until 27th September 2025**

- Background

The applicant applied to the tribunal for an order of eviction underground 8. The application was dated 15th January 2025. The application was accompanied by certain documents which included the private residential tenancy agreement, notice to leave, recorded delivery execution accompanying the notice to leave, section 11 notice and statements of outstanding rent.

The application was accepted for determination on the 26th March 2025.

- The Case Management Discussion

At the teleconference the applicant was represented by Ms Aitken who was the letting agent. The Respondent was represented by Mr. Wilson from the community help and advice initiative.

Mr. Wilson intimated that there was no opposition to the grant of an order of eviction but simply sought a delay of that until October or November 2025. The basis of seeking a delay was that the Respondent was seeking gold priority in terms of his application for housing but in addition to that in terms of any emergency housing that it would be helpful to delay enforcement.

Accordingly the discussion for the tribunal focused solely on the date when the respondent would have to leave.

- Findings in Fact
  1. The parties entered into a private residential tenancy agreement for the property at 1/7 Harrismith Place Edinburgh EH7 5PA.
  2. The agreement was dated 1st October 2021 and rent was set at £875 per calendar month
  3. The respondent lived at the property on his own.
  4. The respondent was no longer working and relied on benefits to meet his living costs. This meant that the rent was unaffordable.
  5. The respondent acknowledged that rent arrears had accrued
  6. The respondent had made application to the city of Edinburgh Council for alternative accommodation
- Reasons for Decision

Parties were agreed that an order for eviction be granted. The only discussion was about the length of time that the respondent could continue to occupy the property. He was seeking to review decision about his gold priority for accommodation but also wished to delay his exit from the property on the basis of a lack of emergency accommodation in Edinburgh. He sought to delay his removal until October or November 2025. The applicant was keen to recover the property. The tribunal took the view that a three month deferral was appropriate.

- Decision
- To grant an order of eviction delayed until 27th September 2025

## **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.**

Mark Thorley

27<sup>th</sup> June 2025

Legal Member/Chair

Date