



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/24/2684

Re: Property at 1D Glencairn Drive, Coatbridge, ML5 5HE (“the Property”)

Parties:

Mrs Nargis Nawaz, 20 Ochridge Road, Bargeddie, G69 7TH (“the Applicant”)

Mr Grant Reybould, 1D Glencairn Drive, Coatbridge, ML5 5HE (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member) and Ann Moore (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an eviction order should be granted, and that the Private Residential Tenancy between the parties shall end on 8 August 2025.

Statement of Reasons

1. This Application called for its Case Management Discussion, alongside the related application CV/24/4634, by teleconference call on 8 July 2025. The Applicant was represented by Ms Hunter. The Respondent was not present or represented.
2. In this Application, the Applicant seeks an eviction order. She contends that the Respondent has been in rent arrears for a continuous period of three calendar months, that Notice to Leave has been given and expired, and that it is reasonable to grant the eviction order.
3. At the CMD, Ms Hunter advised the Tribunal that the Respondent remains in rent arrears, which arrears are now in excess of £23,000. She said that the Property is a three-bedroom semi-detached house in a private estate. The

Respondent lives at the Property with his son, who is approximately nine years old. The Respondent's son goes to school locally. The Property has not been adapted for use by the Respondent or his son. The Respondent is working at present. He is believed to be a self-employed delivery driver for a courier service. Ms Hunter spoke of having seen social media posts that suggest that the Respondent goes on regular holidays. There is no suggestion of financial hardship on the part of the Respondent. The Applicant has no other properties offered by Ms Hunter's agency for private let. Ms Hunter understands that the Property is subject to mortgage lending.

4. In terms of Rule 17(4) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017, the Tribunal may do anything at a Case Management Discussion that it may do at a Hearing, including make a Decision. In terms of Rule 2, when making a Decision, the Tribunal must have regard to the overriding objective to deal with proceedings justly, including by avoiding unnecessary delay.
5. The Respondent has received notice of the Application and the Case Management Discussion. He has chosen not to lodge written representations to dispute the Application, nor to attend the CMD for the purposes of opposing the order sought. In those circumstances, the Tribunal is satisfied that the Respondent does not dispute that he has been in rent arrears as asserted, or that notice to leave has been validly given to him. It follows that the requirements of Ground 12 of Schedule 3 to the Private Housing (Tenancies) (Scotland) Act 2016 are met. The only matter for the Tribunal to determine is whether it is reasonable to grant the eviction order.
6. In this case, the level of arrears outstanding by the Respondent is extraordinary and exceptional. That he has made no effort to pay rent as it falls due, let alone make payment towards his arrears, demonstrates a wilful disregard for his obligations under the tenancy agreement. In all of the circumstances, the Tribunal unanimously determined that it was reasonable to grant the eviction order.
7. For the purposes of section 54(6) of the 2016 Act, the PRT between the parties will terminate on 8 August 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.

Andrew Upton

8 July 2025

Legal Member/Chair

Date