

**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/25/0400**

**Re: Property at 16 Saughs Gate, Robroyston, Glasgow, G33 1HH ("the Property")**

**Parties:**

**Ms Linda Bowie, 24 Lochlea Road, Troon, KA10 7BN ("the Applicant")**

**Mr Liam Jeffrey, Ms Kathleen Quinn, 16 Saughs Gate, Robroyston, Glasgow, G33 1HH ("the Respondents")**

**Tribunal Members:**

**Mr A. McLaughlin (Legal Member) and Mr G. Darroch (Ordinary Member)**

**[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 Case Management Discussion**

[3] The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 3 July 2025. The Applicant was personally present along with her

representative, Ms McGinley of Premier Lets. The Respondents were both personally present.

[4] The Tribunal discussed the Application with Ms McGinley and also directly with the Respondents. The Respondents have not paid rent for a considerable period of time and now have rent arrears in the sum of £10,740.00. The Applicant wishes to sell the Property as she wants to scale down her operations as a landlord because it causes her stress and financial hardship. The Respondents are agreeable to the Eviction Order being granted and have taken appropriate advice from their local housing services. They will be offered the support they require should the Tribunal grant an Eviction Order. The Property is a two-bedroom flat and the Respondents currently live in it as a family of two adults and three children, the youngest of whom has Down's syndrome. There are also pets in the home. The Respondents are naturally hopeful they might be supplied with a larger home by the local authority. Having heard from parties and having considered the written materials produced, the Tribunal made the following findings in fact.

### **Findings in Fact**

- a. The Applicant let the property to the Respondents by virtue of a Private Residential Tenancy Agreement within the meaning of the Act.*
- b. The Applicant now wishes to sell the Property and scale down her operations as a landlord. It causes her stress and financial strain. The Respondents have long since stopped paying any rent and there are rent arrears now in the sum of £10,740.00.*
- c. The Applicant has competently served a notice to leave under ground 1 on the Respondents.*
- d. The Applicant has complied with Section 11 of the Homelessness (etc) (Scotland) Act 2003.*
- e. The Respondents are content to leave the Property and have taken appropriate advice about sourcing alternative accommodation. The Property is in any event too small for their family.*

### **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.

## **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**

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**Legal Member/Chair**

**3 July 2025**

**Date**