

**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 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 ("The Act")**

**Chamber Ref: FTS/HPC/EV/25/0663**

**Re: Property at 169 Lethamhill Road, Glasgow, G33 2SQ ("the Property")**

**Parties:**

**Mr Marc Twaddle, Mrs Elaine Twaddle, 6 Miller Place, Bishopbriggs, G64 1FN ("the Applicant")**

**Mrs Carrie-Anne McGill, Mr Paul McGill, 169 Lethamhill Road, Glasgow, G33 2SQ ("the Respondent")**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member) and Elizabeth Williams (Ordinary Member)**

**[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") granted the Application and made an Eviction Order on the provision that the order may not be enforced until 2 September 2025.**

**Background**

[2] The Applicants seek 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 2 pm on 24 June 2025. The Applicants were personally present. The Respondents were

represented by Ms Luisa Fidelo of Legal Services Agency. Neither party had any preliminary matters to raise. Ms Fidelo has submitted representations setting out that the Respondents were content to leave the Property but would wish more time to find alternate accommodation. She was content for the Tribunal to grant the Application but wished the Tribunal to delay the date by which any order made could be enforced. She confirmed that the Respondents wished to leave the Property but wanted more time to organise their family's departure. Ms Fidelo submitted that allowing 12 weeks would allow sufficient time to obtain alternative accommodation. The Applicants for their part wished to sell the Property to alleviate financial strains. The Applicants suggested that a period of 8 weeks would be more appropriate than 12. All parties agreed that they were content for the Tribunal to make a decision today and to determine for how long, if at all, the enforcement of any order to be made should be delayed.

[4] Having heard from parties, the Tribunal made the following findings in fact.

### **Findings in Fact**

- 1) *The Applicants let the property to the Respondents by virtue of a Private Residential Tenancy Agreement within the meaning of the Act.*
- 2) *The Applicants now wish to sell the Property to alleviate financial strains.*
- 3) *The Applicants have competently served a notice to leave under ground 1 on the Respondents.*
- 4) *The Applicants have complied with Section 11 of the Homelessness (etc) (Scotland) Act 2003.*
- 5) *The Respondents are content to leave the Property but would welcome additional time to organise their departure.*

### **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. The Tribunal granted the Application but considered that it was reasonable to do so on the provision that the order may not be enforced until 2 September 2025. The Tribunal considered that it was reasonable to delay the enforcement of any order by 10 weeks. That appeared to strike the right balance of allowing the Respondents time to find alternate accommodation, whilst recognising the Applicants' wish to dispose of the Property which was now no longer financially beneficial to them.

### **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

9 July 2025  
Date