



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/25/0399

Re: Property at Flat G/02, 78 Inglefield Street, Glasgow, G42 7AW ("the Property")

Parties:

Santander UK plc, 2 Triton Square, Regents Place, London, NW1 3AN ("the Applicant")

Amanat Ali, Flat G/02, 78 Inglefield Street, Glasgow, G42 7AW ("the Respondent")

Tribunal Members:

Andrew McLaughlin (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

[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 2 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 along with proof of the Property having been subject to a heritable security and the Applicant being entitled to sell the Property by virtue of a relevant Sheriff Court Decree.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 2pm on 8 July 2025. The Applicant was represented by Mr Docherty of Ascent Legal. The Respondent was neither present nor represented. The Application and details of the CMD had been competently served on the Respondent by Sheriff Officers. The Tribunal therefore decided to proceed in the absence of the Respondent.

[4] Mr Docherty spoke to the Applicant's efforts to engage with the Respondent which had gone unacknowledged. The Respondent appeared unwilling to communicate with the Applicant or indeed the Tribunal itself regarding the Application. Little was therefore known about the Respondent's personal circumstances. Having heard from Mr Docherty and having considered the written materials, the Tribunal made the following findings in fact.

Findings in Fact

- 1) *The Property is subject to a heritable security and the Applicant has been granted Decree to sell the Property.*
- 2) *The Applicant has competently served a notice to leave under ground 2 on the Respondent;*
- 3) *The Applicant has complied with Section 11 of the Homelessness (etc) (Scotland) Act 2003;*
- 4) *The Respondent has not responded to the Applicant's communications nor engaged with the Tribunal process.*

Reasons for Decision

[5] Having made the above findings in fact, the Tribunal considered that ground 2 of Schedule 3 of the Act was established and that it was reasonable to make an Eviction Order. The Tribunal granted the Application and made 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

Legal Member/Chair

8 July 2025
Date