



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 33 of the Housing (Scotland)  
Act 1988**

**Chamber Ref: FTS/HPC/EV/24/4326**

**Re: Property at 34 Christie Place, Cambuslang, G72 8HT (“the Property”)**

**Parties:**

**Mrs Helen Black, 2 Coniston, East Kilbride, G75 8JR (“the Applicant”)**

**Mr Mark Nolan, 34 Christie Place, Cambuslang, G72 8HT (“the Respondent”)**

**Tribunal Members:**

**Nairn Young (Legal Member) and Helen Barclay (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that**

- Background

This is an application for an order for possession of the Property, which was let to the Respondent by the Applicant in terms of a short assured tenancy agreement. It called for case management discussion (‘CMD’) at 2pm, by teleconference. The Applicant and Respondent were on the call in-person.

- Findings in Fact

The Respondent confirmed that he did not oppose the application. The following facts, as set out in it, were relied upon by the Tribunal in making its decision:

1. The Respondent let the Property from the Applicant in terms of a short assured tenancy agreement with an initial term of six months, commencing 22 April 2016.
2. Following its initial term, the lease ran on by agreement on a month-to-month basis, until 22 July 2024.
3. That termination was effected by the Applicant serving notice to quit on 16 May 2024, along with notice that she required possession of the Property at termination, in terms of s.33(1)(d) of the Housing (Scotland) Act 1988 ('the Act').
4. The Respondent is in arrears of rent of £5,950.
5. Although he is working, the Respondent has made no offer to address the arrears and is not likely to be able to do so.

- Reasons for Decision

6. The tenancy has reached its end and tacit relocation is not operating. The notice required by s.33(1)(d) of the Act was served. It is reasonable for an order for possession to be granted. The Respondent was candid in admitting to the significant rent arrears that have arisen and alluded to personal problems that would suggest he will not be able to address these, at least within any reasonable timescale. It is not reasonable to expect the Applicant to continue to put up with this situation. The requirements of s.33 of the Act are therefore met and an order should be granted.

- Decision

**Order for possession granted.**

**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.

Nairn Young

11.08.2025

Legal Member/Chair

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Date