



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 18 of the Housing (Scotland)
Act 1988**

Chamber Ref: FTS/HPC/EV/25/0386

Re: Property at 177 Neilsland Oval, Pollock, G53 5HB (“the Property”)

Parties:

Newlands Properties Ltd, 40 Murray Place, Barrhead, G78 1AS (“the Applicant”)

Ms Janet Gaston, 177 Neilsland Oval, Pollock, G53 5HB (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member) and Sandra Brydon (Ordinary Member)

Decision (in absence of the Respondent)

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 is let to the Respondent by the Applicant in terms of an assured tenancy agreement. It called for a case management discussion (‘CMD’) at 2pm on 4 September 2025, by teleconference. The Applicant was represented by Ms Aisling Condron of DJ Alexander Ltd. The Respondent did not call in and was not represented. The commencement of the CMD was delayed for 10 minutes to allow for the possibility she may have been trying to join the call, but was experiencing technical difficulties. There remained no contact from her.

Notice of the application and the CMD was given to the Respondent by sheriff officers on 31 July 2025. The Tribunal considered therefore that the Respondent was aware of the case and had chosen not to oppose the application. On that basis, it considered it was fair to proceed in her absence.

- Findings in Fact

The following facts set out in the application were relied on by the Tribunal in making its decision, as unopposed:

1. The Applicant's predecessor in title let the Property to the Respondent in terms of an assured tenancy, with a date of entry of 10 March 2016.
2. The initial term of the tenancy was one year, continuing thereafter from month to month until terminated by either party on one month's notice.
3. The Applicant acceded to the landlord's interest in the tenancy, on taking title to the Property, on 22 January 2020.
4. In terms of the tenancy agreement, rent of £550 was due on the first day of each month.
5. Also in terms of the tenancy agreement, the lease may be brought to an end by the landlord on either ground 11 or 12 of schedule 5 to the Housing (Scotland) Act 1988.
6. The Applicant's current agents took over management of the lease on 18 April 2024, at which time the Respondent was in arrears of £3,466.36.
7. The Respondent has remained in arrears since that time.
8. In the course of September and October 2024, the Applicant sent three letters to the Respondent in accordance with the requirements of the pre-action protocol for rent arrears cases.

9. On 8 January 2025, the Applicant served a notice in form AT6 on the Respondents, by sheriff officers, indicating an intention to rely on grounds 11 and 12 in any proceedings to follow.

10. On 8 January 2025, the Respondent was in arrears of rent of £6,614.86.

11. These proceedings were begun on 31 July 2025, at which time the Respondent was in arrears of rent of £8,924.19.

12. The Respondent's arrears on the day of the CMD were £10,075.19.

13. The Respondent has not engaged with the Applicant to address the arrears.

- Reasons for Decision

14. Grounds 11 and 12 are established on the facts and it is reasonable for an order for possession to be granted. The Applicant has attempted to engage with the Respondent to address her arrears, which are now substantial and have existed for a significant period of time. She has failed to do so. It would not be reasonable to expect the Applicant to endure this situation any longer.

- 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

4 September 2025

Legal Member/Chair

Date