



**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/25/1558

**Re: Property at 4 Ashiestiel Place, Greenfaulds, Cumbernauld, G67 4AT (“the
Property”)**

Parties:

**Christopher Brown I/a Kilrock Properties, 17 Glen Road, Bridge of Allan, FK9
4PL (“the Applicant”)**

**Mr Shaun Trotter, 4 Ashiestiel Place, Greenfaulds, Cumbernauld, G67 4AT
 (“the Respondent”)**

Tribunal Members:

Andrew Upton (Legal Member) and Elizabeth Williams (Ordinary Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an eviction order should be granted.**

Statement of Reasons

1. This Application called for its Case Management Discussion by teleconference call on 21 October 2025. The Applicant was present on the call. The Respondent was not present or represented.
2. In this Application the Applicant seeks an eviction order under section 33 of the Housing (Scotland) Act 1988. He says that the Property was let to the Respondent under a Short Assured Tenancy, that the contractual tenancy has been terminated by service and expiry of a notice to quit, and that notice of proceedings under section 33(1)(d) of the 1988 Act has been served and expired. Copies of the Tenancy Agreement and notices have been produced by the Applicant in support of the Application.

3. At the CMD, the Applicant confirmed his intention to sell the Property. He spoke of having a portfolio of rental properties that he is in the process of liquidating. He is due to turn 64 in January 2026 and is looking to retirement. He does not wish to continue as a residential landlord. The Property will be marketed for sale once the Applicant recovers vacant possession. He said that he had given verbal notice of his intention to the Respondent over a year ago, as well as serving the necessary notices. He spoke to conversations with the Respondent where the Respondent indicated that he had been looking for alternative accommodation but had not yet found anything. He said that the Respondent needed an eviction order to qualify for assistance with rehousing from the local authority. The Property is not subject to mortgage lending. There are no rent arrears. Rent is paid to the Applicant by the Respondent, who is unemployed and in receipt of universal credit. The Respondent lives at the Property with his son, who is believed to be 17 or 18 years old. The Property has not been adapted for their use. The Applicant is not aware of any specialist services in the area that the Respondent accesses.
4. In terms of Rule 17(4) of the First Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017, the Tribunal may do anything at a Case Management Discussion that it may do at a Hearing, including make a Decision. In terms of Rule 2, the Tribunal must have regard to the overriding objective to deal with proceedings justly when making a Decision; including the need to avoid unnecessary delay.
5. The Respondent has had notice of the Application and the CMD, but has chosen not to lodge written representations objecting to the Application nor to attend the CMD. In the circumstances, the Tribunal is satisfied that the Respondent does not wish to participate in the proceedings.
6. Having considered the Application and the productions lodged in support of it, the Tribunal is satisfied that the contractual Short Assured Tenancy between the Parties has come to end, that there is no other contractual tenancy in operation, and that notice under section 33(1)(d) has been served and expired. The Tribunal is also satisfied in all of the circumstances as described by the Applicant at the CMD that it is reasonable to grant the eviction order. The Tribunal unanimously determined that the eviction order should be 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.



23 October 2025

Date