

**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 of the Private Housing (Tenancies)(Scotland) Act 2016**

**Chamber Ref: FTS/HPC/EV/25/2636**

**Re: Property at 20 Drumoyne Quadrant, Glasgow, G51 4UY (“the Property”)**

**Parties:**

**Mr Selman Tobli, 35 Dawson Road, Barking, IG11 9QQ (“the Applicant”)**

**Claire Brown, William Mitchell, 20 Drumoyne Quadrant, Glasgow, G51 4UY (“the Respondent”)**

**Tribunal Members:**

**Gabrielle Miller (Legal Member) and Janine Green (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the order for recovery and possession should be granted in favour of the Applicant.**

**Background**

1. An application was received by the Housing and Property Chamber dated 16<sup>th</sup> June 2025. The application was submitted under Rule 109 of The First-tier for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the 2017 Regulations”). The application was based on ground 12 of the Private Housing (Tenancies) (Scotland) Act 2016.
2. On 24<sup>th</sup> September 2025, all parties were written to with the date for the Case Management Discussion (“CMD”) of 5<sup>th</sup> November 2025 at 10am by teleconferencing. The letter also requested all written representations be submitted by 15<sup>th</sup> October 2025.

3. On 26<sup>th</sup> September 2025, sheriff officers served the letter with notice of the hearing date and documentation upon the Respondent by letterbox service. This was evidenced by Certificate of Intimation dated 26<sup>th</sup> September 2025.
4. The case was conjoined with case FTS/HPC/CV/25/1210.

#### The Case Management Discussion

5. A CMD was held on 5<sup>th</sup> November 2025 at 10am by teleconferencing. The Applicant was present and was represented by Mr Saqib Deen, Apex Property Services (Scotland) Ltd. The Respondents were not present. The Tribunal proceeded in terms of Rule 29 of the Rules. The Respondents did not make any representations in advance of the CMD.
6. Mr Deen said that there has been no contact from the Respondents. The Applicant's brother has a garage next to the Property. He was the last person to speak to the Respondents which was shortly after they moved in. The rent had not been paid and he was told by them that they would need to be evicted to as they did not have an intention to pay the rent. The Appellant's brother has seen the Respondents coming and going as recently as three weeks ago. He has observed the lights being on in the Property as well.
7. Mr Deen said that there had been concerns about the Respondents prior to them moving in. The Respondents had paid the deposit but did not have the month in advance which was due. The Applicant's brother was dealing with the tenancy handover as the Applicant does not live nearby. As the Respondents have a child the Applicant's brother felt sorry for them and allowed them to have the keys to the Property prior to the month in advance being paid in the hope that it would be paid.
8. Mr Deen said that as at 8<sup>th</sup> October 2025 the arrears were £23350. There has only been one payment of £50 during the tenancy. This was paid on 8<sup>th</sup> June 2024. Mr Deen said that it is a three bedroom house. He is not aware of the Respondents or their child having any disabilities or vulnerabilities.
9. The Applicant said that he has on going mortgage payments for the Property of £720 per month plus other landlord expenses. He applied for direct payments from the DWP but this was refused. He does not know why it was refused as he was not given sufficient reasons by the DWP which is their standard response.
10. The Tribunal considered that it was reasonable to grant an order for eviction.

#### Findings and reason for decision

11. A Private Rented Tenancy Agreement commenced 8<sup>th</sup> May 2025.

12. The Respondents have persistently failed to pay their rent charge of £1300 per month. The rent payments are due to be paid on eighth day of each month. The Respondents have only paid £50 in the entire duration of the tenancy.
13. The Respondents had been in rent arrears for three or more consecutive months when the notice was served.
14. There are no known outstanding Universal Credit Housing Element issues.
15. The outstanding arrears are £23350.
16. The Respondents have not responded to any contact from the Applicant.
17. The Applicant has a mortgage to pay of £720 per month for this Property in addition to other costs from being a landlord.
18. There are no issues of reasonableness that prevent an order from being granted.

#### Decision

19. The Tribunal found that ground 12 has been established and granted an order in favour of the Applicant.

#### **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.**

Gabrielle Miller

**5<sup>th</sup> November 2025**

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**Legal Member/Chair**

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**Date**