



**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/24/4051

Re: Property at Deansmill, Maybole, Ayrshire, KA19 7SN (“the Property”)

Parties:

**Miss Susan Hawkins, 216 Derby Road, Butterley, Ripley, Derbyshire, DE5 3QY
 (“the Applicant”)**

**Mr James MacDonald, Mrs Christina MacDonald, Deansmill, Maybole, Maybole,
Ayrshire, KA19 7SN; Deansmill, Maybole, Maybole, Ayrshire, KA19 7SN (“the
Respondent”)**

Tribunal Members:

Alison Kelly (Legal Member) and Gerard Darroch (Ordinary Member)

Decision

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

Background

1. The background is fully narrated in the Case Management Discussion Note dated 12th June 2025.

Hearing

2. A Hearing took place over two days. Evidence was heard on 13th October 2025. There was not sufficient time to complete the evidence and a second day was arranged for 13th November 2025.
3. On 13th November 2025 the videoconference was attended by the Applicant, and by Mr Muir, Solicitor for the Respondents.

4. Mr Muir advised the Tribunal that there had been a development. He said the Tribunal had heard in evidence that the Respondents were hoping to be awarded residence of their baby grandson. This had now been approved, but only on condition that they move out of the property. The local authority have provided them with temporary accommodation, and the SSPCA is assisting with re-homing the animals. The Respondents are therefore no longer opposing the application.

Findings In Fact

- a. The Respondents entered in to an agreement with the Applicant's father to rent the property in or around the beginning of 2003;
- b. The Applicant's father died in 2018 and she inherited the property;
- c. The Applicant served Notice under section 17 of the Housing (Scotland) Act 1988 dated 16th June 2023 with a Copy model Tenancy Agreement;
- d. The Respondents did not oppose this;
- e. The Applicant served to Notice to Quit dated 8th December 2022;
- f. The Applicant served an AT6 dated 10th July 2024;
- g. Section 11 Notice and proof of service;
- h. The Respondents no longer oppose the order being granted.

Reasons For Decision

5. The Respondents, due to their change in circumstances are no longer opposed to the order being granted and it is therefore reasonable for the Tribunal to make the 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.

A Kelly

Legal Member/Chair

13th November 2025

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Date