

Housing and Property Chamber
First-tier Tribunal for Scotland



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/25/2073

Re: Property at 0/2 1 Easterhill Street, Glasgow, G32 8LN (“the Property”)

Parties:

Mrs Sarinder Kaur Bagla, 12 Oakridge Road, Bargeddie, G69 7TH (“the Applicant”)

Mr Pardeep Bagla, Ms Zarah Yaseen, 0/2 1 Easterhill Street, Glasgow, G32 8LN (“the Respondent”)

Tribunal Members:

Mark Thorley (Legal Member) and Gerard Darroch (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an Order of Eviction be granted

- **Background**

1. The Applicant applied to the First-Tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) for an Order of Eviction by application dated 15 May 2025. Accompanying the application was a copy of the Tenancy Agreement dated 1 August 2017, AT5, Notice to Quit, Section 33 Notice, Sheriff Officers’ Execution of Service relating to the Notices, Section 11 Notice and email to the local authority intimating the Section 11 Notice.
2. This is a property that was owned by the Applicant and in which the first-named Respondent is her son.
3. The application was accepted for determination on 12 June 2025.
4. The application was served by Sheriff’s Officers on 8 October 2025.

5. The Respondent lodged written representations on 24 October 2025. The written representations set out that the property was a family home, given to the Respondent in 2009. It was indicated that various works have been undertaken to the property by the Respondent. The first-named Respondent's father also wrote a note. The indication was that this was a family disagreement.

- **The Case Management Discussion**

1. At the case management discussion, Ms Donnelly, Solicitor, appeared on behalf of the Applicant. Both Respondents attended. In addition, the first-named Respondent's father was also present.
2. As a preliminary issue, it was indicated to the first-named Respondent that the first-named Respondent's father could attend, but had to be either a supporter or a representative. If there was a possibility that the first-named Respondent's father was going to be a witness in the case, then he could not attend.
3. It was agreed by the first-named Respondent that he would not attend.
4. Thereafter, the hearing proceeded.
5. The first part was to determine whether the ground for eviction had been made out and that the issue was one of reasonableness.
6. The Respondent accepted that the property was dealt with in terms of the Lease of 1 August 2017. He also accepted that the procedures had been correctly dealt with. Accordingly, the case management discussion was then restricted solely to the issue of whether it was reasonable to evict or not.
7. The Applicant's position was that, although she had eight buy-to-let properties, she required to move out of her family home. She and her husband were in the process of a marital breakdown. She wanted the property because she had medical issues and required a ground floor property.
8. The Respondent disputed this. He acknowledged that there was some medical issue with his mother, but that this was exaggerated.
9. His position was that he and his partner lived at the property along with their two children. It was a two bedroomed property. He did own five other buy-to-let properties. One of them had recently been re-let.
10. There was a discussion as to whether he could move into that property, because the property had a buy-to-let mortgage.

11. He and his partner were both working on a full-time basis in retail. They were in a position to be able to rent another property financially. As he indicated, this eviction, as far as he was concerned, was a “matter of principle”.

- **Findings in Fact**

1. The parties entered into a short assured tenancy for the property on 1 August 2017.
2. The property is a two bedroomed property on the ground floor.
3. Both Respondents live at the property, along with their two children.
4. The requisite notices for eviction have been correctly served.
5. That both the Respondents are in full-time employment in the retail sector.
6. That the Respondents are financially able to rent an alternative property.
7. That the Respondent owns five rental properties.
8. The Applicant has certain medical issues.

- **Reasons for Decision**

1. It was agreed that the procedures undertaken in respect of the notices for eviction to be granted had been dealt with successfully. The Respondent accepted and acknowledged this. It was acknowledged that this was a tenancy created in a short assured tenancy of 1 August 2017.
2. This issue related to one of reasonableness.
3. The Applicant wished to recover the property because she has certain medical issues and wishes to move into a ground floor property. She is currently living with her estranged husband in a large property.
4. The Respondent did not accept the extent of her medical needs and set out that she had various other properties.
5. The difficulty for the Respondent was that the Respondent was arguing that this was a “matter of principle”. The first-named Respondent is the son of the Applicant.
6. It appeared that the Respondent and his partner are both working full-time in the retail sector and can afford to rent another property. It is just that they did not want to. Certainly, the first-named Respondent owns five rental properties himself.

7. It is in these circumstances that it is difficult to see why the Applicant should not be able to recover the property that she owns. It is a two bedroomed property. There are two children in the house. The Respondent could move elsewhere and financially have the ability to do so.

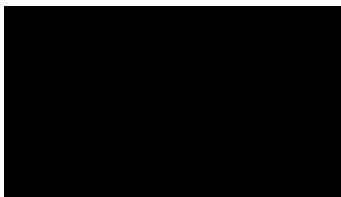
8. The Respondent's reasons were not accepted by the Tribunal.

- **Decision**

1. To grant an Order of Eviction.

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.



Legal Member/Chair

17.11.25

Date