



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

Chamber Ref: FTS/HPC/EV/25/2680

Re: Property at 48 Brodie Road, Dunbar, East Lothian, EH42 1FJ (“the Property”)

Parties:

Places for People Scotland Ltd, 1 Hay Avenue, Edinburgh, EH16 4RW (“the Applicant”)

Mr John Stevenson Thomson, 48 Brodie Road, Dunbar, East Lothian, EH42 1FJ (“the Respondent”)

Tribunal Members:

Mark Thorley (Legal Member) and Frances Wood (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to grant an Order of Eviction of the Respondent from the Property at 48 Brodie Road, Dunbar, East Lothian, EH42 1FJ.

- **Background**

1. The Applicant applied to the Tribunal by application dated 20 June 2025. Accompanying the application was a copy of the following:-
 - a. Tenancy Agreement dated 13 October 2016.
 - b. Form AT5 dated 13 October 2016.
 - c. Pre-action letter sent to Respondent dated 31 January 2025.
 - d. Letter to Respondent, together with Form AT6, Notice to Quit, Section 33 Notice and Guidance Notes dated 13 April 2025.
 - e. Copy of Rent Increase Notice to Respondent dated 23 February 2022.

- f. Copy of Rent Increase Notice to Respondent dated 26 April 2023.
 - g. Copy of Rent Increase Notice to Respondent dated 10 April 2024.
 - h. Copy of Rent Increase Notice to Respondent dated 14 March 2025.
 - i. Rent statement dated 16 June 2025.
 - j. Letter to Respondent with pre-action requirements dated 16 June 2025.
 - k. Section 11 Notice.
2. The application was accepted for determination on 18 July 2025.
 3. The application was served by Sheriff Officers on 30 October 2025.
 4. The Respondent did not lodge any written representations.

- **The Case Management Discussion**

1. At the case management discussion, Mr Caldwell attended on behalf of the Applicant. There was no appearance by or for the Respondent.
2. The Applicant had provided further information regarding the Respondent in advance of the hearing. The Respondent was sequestered on 20 November 2025 with significant debts.
3. Rent was currently payable at the rate of Seven Hundred and Sixty Pounds and Sixty Two Pence (£760.62) per month. Following upon his sequestration, the Respondent had made a payment towards rent.
4. Little was known about the Respondent. It appeared he lived alone. He was a man in his 50s. He was described as being a labourer.
5. A rent statement had been produced in which, prior to his sequestration, rent due was Five Thousand, Two Hundred and Sixty Eight Pounds and Sixty Two Pence (£5,268.62).
6. Rent had been outstanding for a significant period of time.
7. The Respondent had been in some communication with the local authority.
8. After receipt of a pre-action letter, he had enquired as to how long he would have before eviction was granted. There had been no further direct contact.

- **Findings in Fact**

1. The Respondent entered into the contract for the rental of the Property at 48 Brodie Road, Dunbar, EH42 1EJ.
2. The Tenancy Agreement was dated 13 October 2016.
3. The Respondent had been in arrears of rent, certainly dating back to 31 March 2018. There had been a period of time when he had paid off the arrears by September 2019 but then arrears had accrued again. Arrears in the sum of Five Thousand, Two Hundred and Sixty Eight Pounds and Sixty Two Pence (£5,268.62) were in place as at 1 January 2026.
4. The Respondent was a man that lived alone at the Property.

- **Reasons for Decision**

1. The Respondent did not attend at the case management discussion, nor indeed did he provide any form of written representation.
2. The Tribunal accepted the figures for rent that were outstanding. The Respondent had been in arrears of rent for a significant period of time, of over five years. The arrears had been steadily increasing. He was now sequestered.
3. The Tribunal concluded that the Applicant was entitled to recover the Property. Nothing was set out in terms of reasonableness as to why the Respondent should not be evicted.

- **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.

M. Thorley

6 January 2026

Legal Member

Date