



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 51(1) of the Private Housing
(Tenancies) (Scotland) Act 2016**

Chamber Ref: FTS/HPC/EV/25/1966

Re: Property at 2 Kemp Court, Saltcoats, North Ayrshire, KA21 6JA ("the Property")

Parties:

Mrs Suzanne Sherrard, 1020 Kingston Crescent, Airdrie, Alberta, T4A 0L3, Canada ("the Applicant")

Miss Michelle McAllister, 2 Kemp Court, Saltcoats, North Ayrshire, KA21 6JA ("the Respondent")

Tribunal Members:

Mark Thorley (Legal Member) and Helen Barclay (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that an order of eviction be granted.

• Background

The applicant applied to the tribunal for an order of eviction by application dated 7th May 2025. The application was accompanied by a copy of the tenancy agreement dated 14th May 2018. In addition there was a copy of a contract with Slater Hogg and Howieson dated 3rd February 2025 for the sale of the property. The application was accepted for determination on 17th July 2025. Following upon service by sheriff officers the respondent did not provide any written response.

• The Case Management Discussion

At the case management discussion Mr McCallum appear as an agent for the applicant. There was no appearance by or for the respondent. Mr McCallum set out that the applicant lived abroad. She wished to sell the property. As far as reasonableness was concerned the respondent was a sole tenant but had a daughter of high school age.

- Findings in Fact

1. Parties entered into a tenancy agreement dated 14th may 2018 for the rental of the property
2. The applicant lived abroad and wished to sell the property
3. The respondent lived in the property along with her daughter who was of high school age.

- Reasons for Decision

The applicant had set out a reason for wishing to sell the property and had provided a document from the estate agent indicating that she had entered into a contract for the sale of the property. The applicant lived abroad and wished to realise her interest in the property. The respondent did not appear to oppose the application. She had not lodged any written representations nor had she attended the case management discussion. From the limited information that was available it was not unreasonable to grant the order. The tribunal accepted that the applicant wished to sell the property.

- Decision

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.

Mark Thorley

8th January 2026

Legal Member/Chair

Date