



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 ("The Act")

Chamber Ref: FTS/HPC/EV/25/1888

Re: Property at Flat 2-2, 5 Ardnahoe Avenue, Glasgow, G42 0DF ("the Property")

Parties:

Mrs Umza Shahzadi, Flat 1-1, 198 Calder Street, Glasgow, G42 7PE ("the Applicant")

Mr David Thomson, Mrs Donna Thomson, Flat 2-2, 5 Ardnahoe Avenue, Glasgow, G42 0DF ("the Respondent")

Tribunal Members:

Andrew McLaughlin (Legal Member) and Gerard Darroch (Ordinary Member)

Decision (in absence of the Respondent)

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") granted the Application and made an Eviction Order.

Background

[2] The Applicant seeks an Eviction Order under Section 33 of the Act. The Application is accompanied by a copy of the relevant tenancy agreement; the relevant notice under Section 33 of the Act; the relevant notice to quit; the relevant notice under Section 11 of the Homelessness (etc) (Scotland) Act 2003 and proof of service.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 2pm on 5 January 2026. The Applicant was represented by her letting agent, Mr

Bashir. There was no appearance by or on behalf of the Respondents. The Application and information about how to join the conference call had been served on the Respondents by Sheriff Officers. The Tribunal therefore decided to proceed in the absence of the Respondents.

[4] The Tribunal was addressed on the Application by Mr Bashir. The Tribunal carefully considered the reasonableness or otherwise of granting the Application. Mr Bashir suggested that the Respondents were thought to live in the Property alone with no other dependents. The Applicant had recently inherited the Property from her late husband and had no desire to continue on as a landlord. Having considered the Application and Mr Bashir's representations, the Tribunal made the following findings in fact.

Findings in Fact

1. *The Applicant's late husband let the Property to the Respondents by virtue of a Short-Assured Tenancy within the meaning of the Act;*
2. *The Applicant inherited the landlord's interest in the tenancy when her husband passed away. The Applicant competently ended the tenancy by competently serving a notice under Section 33 of the Act and a notice to quit;*
3. *The Applicant has served the requisite notice under Section 11 of the Homelessness (etc) (Scotland) Act 2003;*
4. *The Applicant wishes to sell the Property. She does not wish to be a landlord.*
5. *The Respondents have not engaged with the Tribunal process.*

Reasons for Decision

[5] Having made the above findings in fact, the Tribunal found that the tenancy had been validly ended under Section 33 of the Act and that it was reasonable to make an Eviction Order. The Tribunal therefore granted the Application.

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.

Andrew McLaughlin

Legal Member/Chair

5 January 2026

Date