



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

Chamber Ref: FTS/HPC/EV/25/2112

Re: Property at 17 Golfview Crescent, Elgin, IV30 6JP (“the Property”)

Parties:

Mr John Laing, Mrs Wendy Laing, 7 Grant Street, Elgin, IV30 1PH (“the Applicants”)

Mr Alan Adams, 17 Golfview Crescent, Elgin, IV30 6JP (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member) and Sandra Brydon (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- Background

This is an application for an eviction order against the Respondent, who occupies the Property in terms of a private residential tenancy agreement with the Applicants. It called for case management discussion (‘CMD’) at 10am on 5 January 2026, by teleconference. The Applicants were on the call in-person and were represented by Mr Chalie Beck of Cluny Estate Agents Ltd. The Respondent was on the call in-person.

- Findings in Fact

The Respondent confirmed that the fundamental facts of the case were not in dispute, as follows:

1. The Applicants let the Property to the Respondent in terms of a private residential tenancy agreement with a start date of 11 March 2020.
2. On 17 February 2025, the Applicants sent a notice to leave to the Respondent, stating that they would rely on Ground 1 of Schedule 3 to the Private Housing (Tenancies) (Scotland) Act 2016 ('the Act') in any application to the Tribunal to follow.
3. The first-named Applicant is the owner of the Property.
4. The Applicants intend to sell the Property for market value, or at least put it up for sale, as soon as the Respondent ceases to occupy it.
5. The Respondent has made arrangements to move within a month.

- Reasons for Decision

6. Ground 1 is established here and, in particular, it is reasonable for the order to be granted. Both parties are in agreement that the Applicant should be allowed to sell and the Respondent has already made alternative arrangements for accommodation.

- Decision

Eviction order granted.

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.

Nairn Young

Legal Member/Chair

5 January 2026

Date