



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 ("The Act")

Chamber Ref: FTS/HPC/EV/25/2600

Re: Property at 44 Sheephouseshill, Bathgate, EH47 9ED ("the Property")

Parties:

Mr Rhian Mair Gilbride, The Cottar House, Wester Cambushinnie, Cromlix, FK15 9JU ("the Applicant")

Mr William Seedhouse, Mrs Vikki Seedhouse, 44 Sheephouseshill, Bathgate, EH47 9ED ("the Respondent")

Tribunal Members:

Andrew McLaughlin (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") granted the Application and made an Eviction Order on the provision that the order may not be enforced until 28 February 2026.

Background

[2] The Applicant seeks an Eviction Order under ground 1 of Schedule 3 of the Act. The Application is accompanied by a copy of the tenancy agreement and the notice to leave with proof of service. The relevant notice under Section 11 of the Homelessness (etc) (Scotland) Act 2003 is also produced.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 10am on 18 December 2025. The Applicant was represented by their letting agent, Mr Carter. The Respondents were personally present. Neither party had any preliminary matters to raise. The Tribunal discussed the Application with the parties. The Respondents confirmed that they were content to leave the Property but explained their difficulties in securing alternative accommodation for their large family. There was a shortage of such properties available to the local authority who were supporting the Respondents.

[4] Having heard from parties the Tribunal made the following findings in fact.

Findings in Fact

- 1) *The Applicant is the landlord in a Private Residential Tenancy Agreement which let the Property to the Respondents.*
- 2) *The Applicant now wishes to sell the Property.*
- 3) *The Applicant has competently served a notice to leave under ground 1 on the Respondents;*
- 4) *The Applicant has complied with Section 11 of the Homelessness (etc) (Scotland) Act 2003;*
- 5) *The Respondents are content to leave the Property but it may not be straightforward for the local authority to find them suitable alternative accommodation.*

Reasons for Decision

[5] Having made the above findings in fact, the Tribunal considered that ground 1 of Schedule 3 of the Act was established and that it was reasonable to make an Eviction Order. The Tribunal granted the Application but considered that it was reasonable to do so on the provision that the order may not be enforced until 28 February 2026. Hopefully that will allow the local authority more time to find suitable alternative accommodation. All parties expressly agreed with this outcome.

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

18 December 2025

Date