



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/25/4944

Re: Property at 1/1 51 Glentyan Avenue, Kilbarchan, Johnstone, PA10 2JU (“the Property”)

Parties:

W S Moore (Properties Limited), Roshven, 33 Tandlehill Road, Kilbarchan, PA10 2PL (“the Applicant”)

Mr Jamie Brown, 1/1 51 Glentyan Avenue, Kilbarchan, Johnstone, PA10 2JU (“the Respondent”)

Tribunal Members:

Gillian Buchanan (Legal Member) and Helen Barclay (Ordinary Member)

Decision

Decision

At the Case Management Discussion (“CMD”), which took place by telephone conference on 17 December 2025, the Applicant was not in attendance but was represented by Mr Louis Jeffrey of Lilac Lets. The Respondent was not present but was represented by his mother, Ms Margaret Molloy.

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

Background

The Tribunal noted the following background:-

- i. The Applicant is the heritable proprietor of the Property.
- ii. The Applicant leased the Property to the Respondent in terms of a Private Residential Tenancy Agreement (“the PRT”) that commenced on 21 December 2018.
- iii. On 8 October 2025, the Applicant’s agent served on the Respondent by email a Notice to Leave under Grounds 11 and 14 of Schedule 3 of the Private Housing (Tenancies)(Scotland) Act 2016 requiring the Respondent remove from the

- Property by 11 November 2025 failing which eviction proceedings would be raised before the Tribunal.
- iv. The Applicant's agent has served on Renfrewshire Council a Notice under Section 11 of the Homelessness etc (Scotland) Act 2003.

The CMD

At the outset of CMD Ms Molloy for the Respondent indicated that the Respondent consented to an eviction order being granted. Mrs Molloy explained the following by way of background:-

- i. That the Respondent was diagnosed with psychosis and schizophrenia 11 years ago.
- ii. That Mrs Molloy has known particular neighbours of the Property for 40 years.
- iii. The Respondent was settled at the Property and got on well with those neighbours.
- iv. When the Respondent went through psychosis episodes she would contact those neighbours directly and check with them to see if the Respondent was ok.
- v. Mrs Molloy stated the Respondent has been let down by the mental health system and support was not there for him due to lack of resources as his health deteriorated.
- vi. He was sectioned under the mental health legislation on 24 October 2025. The Police were involved that day and he was picked up at the Property.
- vii. The Respondent was recently discharged from hospital and is staying with his father.
- viii. New resources are now in place for the Respondent and these will allow him to move forwards.
- ix. The Respondent is aware of this application and does not oppose the grant of an eviction order.
- x. Arrangements need to be made for the Respondent's belongings to be picked up and put into storage.

Reasons for Decision

The parties were agreed that an eviction order should be granted against the Respondent in favour of the Applicant and encouraged Mrs Molloy to liaise with Mr Jeffrey regarding access and the return of keys to the Property.

Decision

The Tribunal grants an eviction order against the Respondent in favour of the Applicant.

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.

Gillian Buchanan

Legal Member/Chair

17 December 2025
Date