

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**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/25/2270**

**Re: Property at 2A Henry Street, Barrhead, Glasgow, G78 1RJ (“the Property”)**

**Parties:**

**Mr Hamza Hussain, 75 Capelrig Road, Newton Mearns, Glasgow, G77 6NH (“the Applicant”)**

**Mr Christopher Miller, 2A Henry Street, Barrhead, Glasgow, G78 1RJ (“the Respondent”)**

**Tribunal Members:**

**Gabrielle Miller (Legal Member) and Mary Lyden (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the order for recovery and possession should be granted in favour of the Applicant.**

**Background**

1. An application was received by the Housing and Property Chamber dated 23<sup>rd</sup> May 2025. The application was submitted under Rule 109 of The First-tier for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the 2017 Regulations”). The application was based on ground 1 of the Private Housing (Tenancies) (Scotland) Act 2016.
2. On 10<sup>th</sup> November 2025, all parties were written to with the date for the Case Management Discussion (“CMD”) of 9<sup>th</sup> January 2026 at 2pm by teleconferencing. The letter also requested all written representations be submitted by 1<sup>st</sup> December 2025.

3. On 11<sup>th</sup> November 2026, sheriff officers served the letter with notice of the hearing date and documentation upon the Respondent by letterbox service. This was evidenced by Certificate of Intimation dated 11<sup>th</sup> November 2026.

#### The Case Management Discussion

4. A CMD was held on 9<sup>th</sup> January 2026 at 2pm by teleconferencing. The Applicant not present but was represented by Mrs Kristen Dailey, Financial Administrator, Pure Property Management Edinburgh Ltd. The Respondent was not present. The Tribunal proceeded in terms of Rule 29 of the Rules.
5. Mrs Dailey said that the Applicant is now living and working full time in London. Due to the higher costs of living in London he requires to sell this property to enable him to buy a property in London or at least rent one. This is the only property that he has registered with this letting agent. She was not aware of him owning any other tenanted properties.
6. Mrs Dailey said that there were no issues with the Respondent. He pays his rent each month on the day it is due or if it is due on the weekend the following Monday. He has no arrears. The rent charge has increased from £450 per month to £705 per month. There are no antisocial behaviour issues. An inspection was able to be undertaken in October 2025.
7. Mrs Dailey said that the last communication from the Respondent to her letting agency was approximately two months ago. This was in relation to other matters and not this application. She said that it is a matter of practice that every tenant which is on the process of eviction is sent out a letter from her letting agency advising them of sources of advice and information. She was not aware if he has acted upon this and contacted his local authority.
8. Mrs Dailey was not aware of the Respondent having any vulnerabilities or disabilities. The Property has not been adapted for him. She believes that he is living there on his own. She does not think that the rent is paid by benefits due to when it is paid.
9. The Tribunal was satisfied that there were no grounds of reasonableness preventing an order for eviction being granted.

#### Findings and reason for decision

10. A Private Rented Tenancy Agreement commenced 3<sup>rd</sup> August 2018.
11. The Applicant wishes to sell the Property to finance his move to London. He is now living and working in London on a full time basis.
12. There are no issues of rent arrears or any other tenancy issues.
13. An inspection was undertaken in October 2025.

14. The Respondent neither attended the CMD nor did he lodge any submissions opposing the granting of an order in advance of the CMD.
15. There are no issues of reasonableness that prevent an order from being granted.

### Decision

16. The Tribunal found that ground 1 has been established and granted an order 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.**

**Gabrielle Miller**

**9<sup>th</sup> January 2026**

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**Legal Member/Chair**

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**Date**