



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/25/1474

Re: Property at 27 Annfield Drive, Stirling, FK7 7RE (“the Property”)

Parties:

Mrs Mhairi Crawford-McKee, 44 Claymore Drive, Stirling, FK7 7UP (“the Applicant”)

Miss Natasha Stewart, Mr James Taylor, 27 Annfield Drive, Stirling, FK7 7RE (“the Respondents”)

Tribunal Members:

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

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that ground 1 of Schedule 3 to the Private Housing (Tenancies) (Scotland) Act 2016 is satisfied, that it is reasonable to grant the eviction order, and that the Private Residential Tenancy between the Parties shall terminate on 27 February 2026.

Statement of Reasons

1. This Application called for its Case Management Discussion by teleconference call on 16 December 2025. The Applicant and First Named Respondent were both present on the call. Miss Stewart was representing Mr Taylor’s interests in this Application as well.
2. In this Application the Applicant seeks an eviction order on the basis that she intends to sell the Property. The Applicant explained that initially this was part of a managed retirement process that involved her liquidating her property portfolio over time to allow her more time to care for her elderly father. However, since the notice to leave was served, her father’s health has

deteriorated and the Applicant has separated from her husband. The Applicant now requires to sell the Property to realise funds to reach a matrimonial settlement. She has been in regular dialogue with the Respondent, who she knows personally, and the situation is amicable. The Applicant expressed her regret at the situation. The Applicant spoke of trying to sell the Property with the Respondents remaining as tenants, including to Stirling Council, but that those attempts were unsuccessful.

3. The Respondent confirmed that there was no opposition to the Application. She confirmed that the relationship between the parties was a positive one, and that the eviction process was amicable. She has been in contact with the local authority about alternative housing, but has yet to find a suitable property. Miss Stewart has health conditions, in particular fibromyalgia and Idiopathic Intracranial Hypertension. She has a local support network that assists her with her disabilities, and she therefore requires to stay within the area of the Property. There is a lack of social housing in the area, though more is being built locally. She lives at the Property with Mr Taylor, who is her fiancé, and her two children aged 17 and 23.
4. In terms of rule 17(4) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017, the Tribunal may do anything at a Case Management Discussion that it may do at a Hearing, including make a Decision. In terms of rule 2, when making a Decision the Tribunal must have regard to the overriding objective to deal with proceedings justly.
5. The parties are generally in agreement regarding this Application. There is no dispute that the Applicant intends to sell, and the Tribunal accepted that intention existed. There is also no dispute that it is reasonable in the circumstances for the eviction order to be granted. In all of the circumstances described by the parties to the Tribunal, which circumstances were not contradicted by either party, the Tribunal was satisfied that it was reasonable to grant the eviction order.
6. What remains is to determine, for the purposes of section 51(4) of the Private Housing (Tenancies) (Scotland) Act 2016, when the PRT between the parties will terminate and thus when the eviction order will be enforceable from. The Tribunal is mindful that the First Respondent has complex health needs and that the local authority may require additional time to source suitable alternative accommodation for her. That is in addition to the likely difficulties in sourcing suitable accommodation during the impending festive period. For those reasons, the Tribunal determined that the PRT between the parties should terminate on 27 February 2026, which date will be the earliest date that the eviction order may be enforced from.

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.

16th December 2025

Legal Member/Chair

Andrew Upton

Date