



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/25/2902

Re: Property at 32B Union Street East, Arbroath, Angus, DD11 1BS (“the Property”)

Parties:

Mr Michael Robertson, 2 Holly Drive, Stonehaven, Aberdeenshire, AB39 2GU (“the applicant”)

Miss Paige Easton or Fletcher, 32B Union Street East, Arbroath, Angus, DD11 1BS (“the respondent”)

Tribunal Members:

Maurice O’Carroll (Legal Member) and Eileen Shand (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an Order for Eviction be granted.

Background

1. A Case Management Discussion (CMD) was held by telephone on 6 February 2026 at 2pm. The applicant was personally present on the call. The Respondent did not attend on the call. The case file showed that the claimant was served with notice of the hearing at the Property by Sheriff Officers on 19 December 2025. The claimant was still in occupation of the Property as at the date of the CMD.
2. Accordingly, the Tribunal was satisfied that the Respondent had been provided with adequate notice of the CMD and decided to proceed in her absence.
3. The CMD was convened in order to consider an application for eviction dated 4 July 2025. The application was made under rule 109 on the basis of Ground 12 of Annex 3 to the Act, namely non-payment of rent for three consecutive months or more. A separate ground, namely ground 1, that the applicant wished to sell the Property, was made by the applicant. In the event, this did not require to be

considered in view of the fact that Ground 12 had been made out to the satisfaction of the Tribunal.

The Case Management Discussion

4. The respondent did not provide any written submissions prior to the CMD. Evidence was provided solely by that applicant.
5. The applicant is the owner of the Property and the landlord under a tenancy agreement with the respondent.
6. The applicant confirmed the schedule of unpaid rent provided to the Tribunal following a request for a detailed schedule on 31 July 2025. The schedule demonstrated that rent had been unpaid for the months September 2024 to July 2025. The applicant confirmed that no rent had been paid by the respondent subsequently up until the date of the CMD.

Findings in fact

7. The parties entered into a rental agreement by means of a Private Residential Tenancy on 31 August 2022 when the tenancy commenced. The monthly rent payable was £500 per calendar month throughout.
8. The Respondent has not paid any rent since November 2023 with the exception of a payment of £175 in September 2024. The rent outstanding as at July 2025 was £11,585 and had increased by £500 per month until the date of the CMD. The requirements of Ground 12 of Schedule 3 to the Act have therefore been met.
9. The pre-action requirements for eviction proceedings have been complied with by the Applicant. The Respondent was validly served with a Notice to Leave on 4 July 2025. A copy of the Notice to Leave was duly served on the local authority in accordance with the terms of section 11 of the Homelessness Etc. (Scotland) Act 2003 on 2 July 2025.
10. Despite reminders and warnings having been sent to the Respondent, the rent arrears persisted with no explanation for non-payment having been provided by the Respondent to the Applicant. No explanation for non-payment or any reasons why an Order for Eviction should not be granted was provided to the Tribunal.

Reasons for decision

11. In the absence of any explanation for non-payment of rent, or any reason why eviction should not be ordered, the Tribunal decided to exercise its discretion to grant an Order for Eviction.

Decision

12. The Tribunal therefore grants the Order for Eviction sought which is appended to the present decision.

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.

M. O'Carroll

6 February 2026

Legal Member/Chair

Date