



**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**

**Chamber Ref: FTS/HPC/EV/25/2445**

**Re: Property at 14 Lloyd Court, Rutherglen, G73 1NS (“the Property”)**

**Parties:**

**Mr Jim Black, Mrs Therese McCabe, 48 Minister's Park, East Kilbride, G74 5BX  
 (“the Applicants”)**

**Ms Amanda Woodburn, Mr John Ross Morris, 14 Lloyd Court, Rutherglen, G73  
1NS (“the Respondents”)**

**Tribunal Members:**

**Ms H Forbes (Legal Member) and Ms A Moore (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an eviction order should be granted.**

**Background**

1. This is a Rule 109 application whereby the Applicant is seeking an eviction order under ground 1. The Applicant representative lodged a copy of a private residential tenancy agreement between the parties in respect of the Property, which tenancy commenced on 22<sup>nd</sup> June 2021, a notice to leave with evidence of service, a section 11 notice with evidence of service, and evidence of intention to sell.

**The Case Management Discussion**

2. A CMD took place by telephone conference on 29<sup>th</sup> January 2026. The Applicant was not in attendance, and was represented by Ms Haughie. The Respondents were in attendance.
3. The Respondents confirmed they were not opposing the application.
4. Ms Haughie said one of the Applicants is retired, and the other will be retiring. They have two properties for let and wish to sell the properties as their letting

business is no longer financially viable. The Property is mortgaged, and the Applicants suffered financial loss in their letting business last year. Ms Haughie said a valuation of the Property has been carried out.

5. The Respondents said they have been in the Property for five years. They now feel social housing would be more affordable for them. They have been in discussion with the local authority and have been told that they will be deemed homeless if an order is granted, and that will assist the local authority in providing accommodation, which may initially be temporary. There are no children living full-time in the Property.

### **Findings in Fact and Law**

6.
  - (i) Parties entered into a private residential tenancy in respect of the Property which commenced on 22<sup>nd</sup> June 2021.
  - (ii) Notice to leave has been served upon the Respondents.
  - (iii) The Applicants intend to sell the Property.
  - (iv) The Applicants are entitled to sell the Property.
  - (v) The Applicants intend to sell the Property or at least put it up for sale within three months of the Respondents ceasing to occupy the Property.
  - (vi) It is reasonable to grant an eviction order.

### **Reasons for Decision**

7. Ground 1 of Schedule 3 of the Act provides that it is an eviction ground if the Landlord intends to sell the let property. The Tribunal may find that the ground is met if the landlord is entitled to sell the let property, intends to sell it for market value, or at least put it up for sale, within three months of the tenant ceasing to occupy it, and the Tribunal is satisfied that it is reasonable on account of those facts to issue an eviction order. The Tribunal is satisfied that ground 1 is met.
8. In considering whether it was reasonable to grant the eviction order, the Tribunal considered the circumstances of both parties.
9. The Applicants no longer wish to be landlords, due to their age and retirement. They have suffered financial losses in their rental business.
10. The Respondents are keen to access social housing, which will be more affordable for them than renting privately. The Respondents are unable to access social housing without an eviction order being granted.

11. The Tribunal considered it was reasonable to grant the order sought.

### **Decision**

12. An eviction order in respect of the Property is granted. The order is not to be executed prior to 12 noon on 3<sup>rd</sup> March 2026.

### **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.

**H. Forbes**

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**Legal Member/Chair**

**29<sup>th</sup> January 2026**  
**Date**