

Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 26 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ('The Procedure Rules') in relation to an application for eviction/ possession of a Rented Property in terms of Rule 109 of the Procedure Rules.

Chamber Ref: FTS/HPC/EV/25/3506

Re: 3B Maxwell Drive, East Kilbride, G74 4HG ("the Property")

Parties:

Jeff Taylor and Mrs Angela Taylor residing at 2A Rosemount Court, Mearnskirck, G77 5TY ("the Applicant")

Countrywide Residential Lettings ('The Applicant's Representatives')

Ewen Paterson residing at 3B Maxwell Drive, East Kilbride, G74 4HG ("the Respondent")

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal")

Tribunal Members: Jacqui Taylor (Legal Member) Robert Buchan (Ordinary Member)

1. Background

1.1. The Applicant submitted an application to the Tribunal for eviction/ possession of the Rented Property under section 51(1) of the Private Housing Tenancies (Scotland) Act 2016, in terms of Rule 109 of the Procedure Rules.

1.2 The application was dated 14th August 2025. The application states that the ground for eviction was as follows:

'Ground 1: The Landlord intends to sell the let Property.'

1.3 Documents lodged with the Tribunal were:-

- The Private Residential Tenancy Agreement between the parties dated 19th July 2019

- Notice to Leave dated 30th April 2025 advising the Tenants that an application will not be submitted to the Tribunal for an eviction before 27th July 2025 and the eviction ground is that the Landlords intend to sell the Property.
 - Email from the Landlords to the Tenant dated 30th April 2025 sending them the Notice to Leave.
 - Email to South Lanarkshire Council dated 14th August 2025 attaching the Section 11 Notice.
 - Section 11 Notice addressed to South Lanarkshire Council.
 - Mandate dated 5th August 2025 by Angie Taylor authorising Slater Hogg and Howison Lettings to act for her.
 - Email dated 30th April 2025 from Euan Robb of Slater Hogg & Howison to Property Store, East Kilbride confirming that the landlord intends to sell 3B Maxwell Drive with Slater Hogg and Howison and when the Property is vacant he will organise the home report and book the photographer.
2. By Notice of Acceptance by Fiona Watson, Convener of the Tribunal, dated 10th October 2025, she intimated that she had decided to refer the application (which application paperwork comprises documents received between 14th August 2025 and 16th September 2025) to a Tribunal.
 3. The Respondent did not provide any written representations.

4. Case Management Discussion

This case called for a conference call Case Management Discussion (CMD) at 10.00 on 9th February 2026.

The parties did not attend and they were not represented.

The Applicant's Representative had been notified of the CMD by email from the Tribunal administration dated 30th December 2025.

The Respondent had been served with a letter advising him of the CMD by Stuart Sinclair, Sheriff Officer, on 5th January 2026. The Tribunal were satisfied that the requirements of Tribunal Rule 29 had been complied with and continued with the CMD.

5. Decision.

As neither the Applicants nor the Applicants' Representative attended the CMD and they did not apply to the Tribunal for a postponement the Tribunal dismisses the application in terms of Procedure Rule 27 as they failed to cooperate with the Tribunal by not attending the CMD.

6. 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.

Jacqui Taylor

Legal Member

9th February 2026