



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 (“the Act”)

Chamber Ref: FTS/HPC/EV/25/2647

Re: Property at 96 Culzean Avenue, Coatbridge, ML5 5LW (“the Property”)

Parties:

Neighbour Homes Ltd, 01 Meadlake Place, Thorpe Lea Road, Egham, TW20 8HE (“the Applicant”)

Mr Steven Lawson, Lynne Lawson, 96 Culzean Avenue, Coatbridge, ML5 5LW; 96 Culzean Avenue, Coatbridge, ML5 5LW (“the Respondents”)

Tribunal Members:

Steven Quither (Legal Member) and Sandra Brydon (Ordinary Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) UNANIMOUSLY determined to grant the order for eviction sought by the Applicant.

BACKGROUND

1. This is an application dated and lodged on 17 June 2025 to bring to an end a Private Residential Tenancy (“PRT”) between the parties in respect of the Property commencing 28 June 2024 and at a rent of £1000 per month.
2. The Tribunal accepted the application by Notice of Acceptance of 8 August 2025 and a Case Management Discussion (“CMD”) was duly fixed for 20 January 2026.
3. Prior to the CMD, preliminary consideration of the supporting documentation for this application confirmed Notice to Leave dated 11 February 2025 was served on the Respondents by email on the same date based on the Applicant

intending to use the Property for a non-residential purpose (Ground 6 of Schedule 3 of the Act).

4. As at 17 June 2025, when this application was lodged, there were outstanding rent arrears of £3680 ie just over 3½ months rent.
5. On the same date, the appropriate local authority was notified of the application in terms of s11 of the Homelessness etc. (Scotland) Act 2003.
6. Letterbox service of this application and associated documentation was made on the Respondents by sheriff officers on 25 November 2025.
7. By email of 9 January 2026, the Applicant's representative provided an up to date rent statement to said date, showing total rent arrears of £7599-95 and that the last payment towards rent prior to the CMD had been made on 12 December 2025 in the total sum of £480-01 ie just under £520 short of the monthly rent due of £1000.
8. Said rent statement showed similar payments since July 2025, prior to which £440 per month had been paid since March 2025, albeit other sporadic payments had also been made since then too.
9. Supporting documentation for this application confirmed also the grant of a Licence to Operate a Short Term Let for the Property dated 6 March 2025 in favour of the Applicant for occupancy of the Property at any one time by a maximum of 6 people.
10. At all times the Tribunal was aware that in relation to this eviction case, it required to be satisfied not only that the formal requirements regarding same had been complied with but also that it was reasonable to make the order for repossession.

CASE MANAGEMENT DISCUSSION on 20 JANUARY 2026

11. The CMD took place by teleconference and duly commenced shortly after 2pm, with only the Applicant's representative, Vikki McGuire from Jewel Homes, Letting Agents, Coatbridge, in attendance
12. In her submission to the Tribunal and in response to questions asked by the Tribunal, Miss McGuire advised and confirmed:--
 - a) Rent arrears now stood at £7119-94, taking account of a recent payment to account of same;

- b) The Applicant intended to use the Property as accommodation for workers periodically engaged in local projects, typically construction or suchlike, who required short term accommodation while working on same;
- c) Till about November 2025, she had had reasonably good communications with the Respondents and had been advised that they were awaiting payment of a pension provision or suchlike, which they would use to pay off rent arrears;
- d) She understood the payments made were £440 towards rent and £40-01 towards arrears, both paid by DWP direct from the Respondents' Universal Credit;
- e) The Respondents were husband and wife, in their mid to late 50s and did not have any children, she had never met the First Respondent;
- f) They had carried out various alterations to the Property, listed in email to the of 20 February 2025, copied to the Tribunal, none of which had been done with the Applicant's permission;
- g) She had last made contact with the Respondents by voicemail and text at about the end of November 2025, shortly after the Tribunal application was served on them and had thereafter driven past the Property sometime in December to check for signs it was still occupied, which it appeared to be;
- h) She had called them again during week ending 16 January 2026 but was not able to get a response; and
- i) In view of the reason for the order and the level of arrears which had accrued, which would continue since the Universal Credit payments met less than half of the monthly rent, she was asking the Tribunal to consider it reasonable to grant the order for repossession now sought.

FINDINGS IN FACT

- 13. The parties entered into a PRT for the Property commencing 28 June 2024 and at a rent of £1000 per month.
- 14. The Applicant now intends to use the Property for a non-residential purpose, namely for occupancy of the Property at any one time by a maximum of 6 people as evidenced by the Licence to Operate a Short Term Let for the Property dated 6 March 2025 in its favour, in terms of which the Property is to

be used as accommodation for workers periodically engaged in local projects, typically construction or suchlike, requiring short term accommodation while working on same.

15. The Respondents are in rent arrears of £7119-94 as at the date of the CMD.

REASONS FOR DECISION

16. The Tribunal was satisfied that arrears of £7119-94 had accrued per the rent details produced by the Applicant to 9 January 2026, as updated at the CMD.

17. It was also satisfied about the intended future use of the Property, as vouched by the Short Term Let licence and further information provided at the CMD also.

18. That being so, and in the absence of any contrary argument or opposition, the Tribunal was of the view that Ground 6 founded upon by the Applicant in this application had been established.

19. Also, in view of the length of time the Respondents had been in arrears to some extent or another, and the amount of arrears now outstanding, which seemed only likely to increase, the Tribunal considered it just and reasonable to grant the order sought.

DECISION

20. To grant the order for eviction sought by 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.

SR QUITHER
Legal Member/Chair

Date 20 JANUARY 2026