



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 33 of the Housing (Scotland) Act 1988.

Chamber Ref: FTS/HPC/EV/25/3787

Re: Property at 8F Bell Street, Renfrew, PA4 8PP (“the Property”)

Parties:

Dulani Amalka Neluwa Liyanage, Rajitha Manjula Athukorala Athukoralalage, 46 Summers Hill Drive, Papworth Everard, Cambridgeshire, CB23 3AA (“the Applicants”)

Mark Hastie, Daniel Robinson, 8F Bell Street, Renfrew, PA4 8PP (“the Respondents”)

Tribunal Members:

Lesley Ward (Legal Member) and Tony Cain (Ordinary Member)

Decision

1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondents shall be evicted from the property on the basis of the expiry of the Short assured Tenancy and it being reasonable in all of the circumstances that the eviction be granted.

Background

2. This was a case management discussion (CMD) in connection with an eviction application in terms of rule 66 of the First-tier Tribunal for Scotland (Procedure) Regulations 2017 and section 33 of the Housing (Scotland) Act 1988. The Applicants were represented by Ms Adriana Capaldi of Bannatyne Kirkwood and France Solicitors. The Respondents attended and were accompanied by Ms Nicola Lindsay, Housing Support Officer.

3. The tribunal had before it the following copy documents:

- (1) Tenancy agreement for the initial period of 30 July 2013 to 30 January 2014 and monthly thereafter.
- (2) AT5
- (3) Section 33 notice dated 28 May 2025.
- (4) Execution of service of section 33 notice and notice to quit by sheriff officers on 29 May 2025.
- (5) Notice to quit dated 28 May 2025 with an ish date of 31 July 2025.
- (6) Land certificate.
- (7) Landlord registration.
- (8) Section 11 notice and proof of service.
- (9) Quote for refurbishment works dated 5 April 2025.

Case management discussion

4. Ms Capaldi was seeking an order for eviction on the basis that the tenancy had been brought to an end by service of the notice to quit and section 33 notice, and it was reasonable in all of the circumstances that the eviction be granted. The Applicants had initially decided to refurbish the property, and they have provided a detailed schedule of proposed works. Since the application was lodged, the Applicants have decided to sell the property and purchase another property closer to their home in England.

5. The Respondents are not opposed to the application. They understand the landlords wish to sell. They have made a housing application and expect to be rehoused by the local authority in permanent accommodation in around 8 to 12 months.

6. Findings in fact

- The Applicants are the owners of the property.
- The Applicants bought the property in June 2024.
- The first named Applicant is the registered landlord.
- The Respondents and the previous owner of the property, entered into a short assured tenancy agreement on 31 July 2013 with an agreed initial period of 30 July 2013 to 30 January 2014 and monthly thereafter.
- The Respondents were served with a valid notice to quit and section 33 notice on 29 May 2025.
- The tenancy has come to an end.
- Tacit relocation is not occurring.
- The Applicants wish to refurbish the property and then to sell it.

Reasons

7. This was an undefended eviction application. The Tribunal was satisfied that it had sufficient information before it to make a decision and the procedure had been fair.

8. The tribunal was satisfied that it was reasonable in all of the circumstances to grant the eviction order. The Applicants plan to refurbish the property and then to sell it. The Respondents are aware of this and have taken steps to seek alternative housing. They are not opposed to the eviction.

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.

Lesley Ward

5 February 2026

Legal Member/Chair

Date