

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**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**

**Chamber Ref: FTS/HPC/EV/25/2645**

**Re: Property at 274J Blackness Road, Dundee, DD2 1RW (“the Property”)**

**Parties:**

**Piperdam Ltd, Beat the Banks, 1st Floor 87 Commercial Street, Dundee, DD1 2AB (“the Applicant”) and**

**Louise Todd Property Management, 1<sup>st</sup> Floor, 87 Commercial Street, Dundee, DD1 2AB (“the Applicant’s Representative”) and**

**Mr Brian James Leys, 274J Blackness Road, Dundee, DD2 1RW (“the Respondent”)**

**Tribunal Members:**

**G McWilliams: Legal Member) and  
A Moore: Ordinary Member**

**Decision in absence of the Respondent:**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determines to grant an eviction order.**

**Background**

1. This is an Application for an eviction order in terms of Rule 109 (Application for an eviction order) of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the 2017 Rules”).

**Case Management Discussion**

2. A Case Management Discussion (“CMD”) proceeded by remote teleconference call at 2.00pm on 20<sup>th</sup> January 2026. The Applicant’s Representative’s Ms L. Todd attended. The Respondent Mr Leys did not attend and was not represented. The Tribunal noted that Sheriff Officers served copies of the Application papers, and details of the CMD, personally upon Mr Leys on 26<sup>th</sup> November 2025.

3. Ms Todd referred to the Application case papers, including her e-mail sent to the Tribunal's office on 14<sup>th</sup> January 2026 with an updated rent statement detailing current rent arrears owing by Mr Leys of £6,360.00. She said that until around summer 2025 Mr Leys had been in regular contact with her and was always very pleasant. She stated that she last heard from him by e-mail on 7<sup>th</sup> August 2025 when he said that he had started a new job and was going to start paying £1,000.00 towards rent arrears. She said that Mr Leys was not able to adhere to that proposal and that his last payment towards rent, of £500.00, was received on 14<sup>th</sup> November 2025. Ms Todd stated that the current rent arrears amount owing, of £6,360.00, was unsustainable for the landlord Piperdam Ltd and that they wish to recover possession of the Property.

### **Findings in Fact and Law and Reasons for Decision**

4. In terms of Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016 ("the 2016 Act") the Tribunal is to issue an eviction order under a private residential tenancy ("PRT") if, on application by a landlord, it finds that one of the eviction grounds named in Schedule 3 applies.
5. Schedule 3 (12) (1) to the 2016 Act provides that it is an eviction ground that a tenant has been in rent arrears for three or more consecutive months.
6. Therefore, the Tribunal has jurisdiction in relation to claims by landlords (such as the Applicant) for an eviction order against tenants (such as the Respondent) in respect of a tenancy such as the tenancy agreement of the parties.
7. Having considered all of the Application papers and the submission of Ms Todd, the Tribunal finds in fact that the Applicant, Piperdam Ltd, through their Representative, has provided the Tribunal, in the Application for an eviction order, with copies of the Notice to Leave ("NTL") served on Mr Leys and the Section 11 (Homelessness Etc. (Scotland) Act 2003) Notice intimated to Dundee City Council. These documents had been correctly and validly prepared in terms of the provisions of the relevant legislation, and the procedures set out in the legislation had been correctly followed and applied. The NTL, and the Application for an eviction order, proceed in terms of Schedule 3 (12) in the 2016 Act. The Tribunal further finds in fact that when the Application was lodged with the Tribunal's office, there were arrears of rent owing of £3,150.00 and that the current arrears owing are in the sum of £6,360.00.
8. In making its findings in fact the Tribunal relied on the documentation in the Application papers, and subsequently submitted, as well as the oral submission of Ms Todd, the terms of which were consistent with the terms of the relevant documentation.
9. The Tribunal, in making their findings in fact, also placed reliance on the absence of any contradictory information or submission from Mr Leys. He is aware of the important nature of the Application but he has not attended at the CMD and has

not made any oral or written representations regarding the merits and the reasonableness of the grant of the eviction order sought.

10. Accordingly, the Tribunal finds in law that the ground in Schedule 3 (12) of the 2016 Act is met as Mr Leys has been in rent arrears for three or more consecutive months and that it is reasonable that an eviction order be granted.

### **Decision**

11. Therefore, the Tribunal makes an order for eviction of the Respondent Mr Brian James Leys from the Property at 274J Blackness Road, Dundee, DD2 1RW.

### **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.**



**G McWilliams**

**20<sup>th</sup> January 2026**

**Tribunal Legal Member**