



**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/25/3115**

**Re: Property at 3/2 91 Curle Street, Whiteinch, Glasgow, G14 0RR (“the Property”)**

**Parties:**

**Mr Thomas Richard Shanks, Mrs Norma Shanks, 18 Ballknock Road, Belfast, Tandragee, BT62 2JS (“the Applicants”)**

**Ms Aisha A Abdelati Abdelsalam, 3/2 91 Curle Street, Whiteinch, Glasgow, G14 0RR (“the Respondent”)**

**Tribunal Members:**

**Nicola Irvine (Legal Member) and Sandra Brydon (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicants are entitled to the Order sought for recovery of possession of the property. The Tribunal varied the period of charge in terms of section 216(4) of the Bankruptcy and Diligence etc Scotland Act 2007.**

**Background**

1. The Applicants submitted an application under Rule 109 of the Housing & Property Chamber Procedure Regulations 2017 (“the Rules”) for an order to evict the Respondent from the property.
2. A Convenor of the Housing and Property Chamber (“HPC”) having delegated power for the purpose, referred the application under Rule 9 of the Rules to a case management discussion (“CMD”).

3. Letters were issued on 6 January 2026 informing both parties that a CMD had been assigned for 17 February 2026 at 2pm, which was to take place by conference call. In that letter, the parties were also told that they were required to take part in the discussion and were informed that the Tribunal could make a decision on the application at the CMD if the Tribunal has sufficient information and considers the procedure to have been fair. The Respondent was invited to make written representations by 27 January 2026.
4. On 27 January 2026, the Tribunal received written representations from the Respondent.
5. On 6 February 2026, the Tribunal received further written representations from the Applicants' representative.

### **The case management discussion – 17 February 2026**

6. The CMD took place by conference call. The Applicants were represented by Ms Nicola Gill of Belvoir Glasgow North. The Respondent joined the call and represented herself. The Tribunal explained the purpose of the CMD.
7. The Respondent did not oppose the application but she does not have alternative accommodation for her and her family to go to. She has lived in the Property with her husband and children since November 2012. Two of her older children attend a local secondary school and one of them is studying for her higher exams in April 2026. The Respondent does not wish to disrupt her child's life at a critical time in that child's education. The Respondent cannot afford another privately let property and has been in contact with the local authority. She has been told that the local authority cannot identify alternative accommodation for her and her family unless an eviction order is granted. The Respondent sought more time to look for alternative accommodation.
8. The Legal Member of the Tribunal explained that if an eviction order is granted, the appeal period would have to elapse and then sheriff officers would have to serve a charge for removal before an eviction could take place. The Respondent indicated that English is not her first language. She told the Tribunal what she had understood the Legal Member to have explained. The Tribunal was satisfied that the Respondent understood what the Legal Member explained.
9. The Tribunal noted the terms of the letter from the Applicants which was submitted on 6 February 2026. The Applicants' representative explained that the Property is the only rental property owned by the Applicants and they intend to sell it and cease activity as a landlord. The Applicants are not opposed to allowing more time to the Respondent to find alternative accommodation, all as set out in the letter which has been lodged.

### **Findings in Fact**

10. The Applicants are the owners and landlords of the Property at 3/2 91 Curle Street, Whiteinch, Glasgow, G14 0RR.
11. The Respondent is the tenant of the Property.
12. The tenancy in question is a private residential tenancy which commenced on 8 February 2019.
13. The Applicant served Notice to Leave on the Respondent by email on 4 February 2025.
14. The Applicants intend to sell the Let Property.

### **Reason for Decision**

15. The Tribunal was satisfied that it could make relevant findings in fact in order to reach a decision following the CMD, and that to do so would not be contrary to the interests of the parties in this case.
16. The Tribunal proceeded on the basis of the documents lodged and the information provided at the CMD. Two of the Applicants have retired and have found the obligations as landlord to be more onerous with age. The other two Applicants wish to realise their interests in the Property and all Applicants intend to cease activity as landlords. The Respondent did not oppose the application although she does not have alternative accommodation. She sought additional time to find accommodation.
17. On the basis of the documentary evidence and the submissions made at the CMD, the Tribunal determined that the ground of eviction is established. In light of the information provided by both parties, the Tribunal decided that it was reasonable to grant an order evicting the Respondent from the Property.
18. The Respondent has not yet secured alternative accommodation. She has cannot afford another privately let property and has been in contact with the local authority but has not been offered alternative accommodation. The Tribunal exercised its discretion and extended the period for notice of removal by a period of 3 months.

### **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.**

# Nicola Irvine

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Legal Member/Chair

17 February 2026

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Date