



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/EV/25/2127

Re: Property at 81 Bank Street, Lochgelly, Fife, KY5 9QN (“the Property”)

Parties:

Mr Ian Young, 19 Burnbank Meadows, Kinross, Fife, KY13 8GE (“the Applicant”)

Mrs Mary Ellen Seymor, 81 Bank Street, Lochgelly, Fife, KY5 9QN (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Helen Barclay (Ordinary Member)

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made an Eviction Order.

Background

[2] The Applicant seeks an Eviction Order under ground 1 of Schedule 3 of the Act. The Application is accompanied by a copy of the tenancy agreement and the notice to leave with proof of service. The relevant notice under Section 11 of the Homelessness (etc) (Scotland) Act 2003 is also produced.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 13 February 2026. The Applicant was represented by Ms Grattan of Morgans Law. The Respondent was also personally present. Neither party had any preliminary

matters to raise. The Tribunal discussed the Application with the parties. The Respondent confirmed that she was content to leave the Property and had in fact already started packing. She was simply waiting for an Eviction Order so that the local authority would assist her. The Applicant for his part wished to sell the Property for financial reasons.

[4] Having heard from parties the Tribunal made the following findings in fact.

Findings in Fact

- 1) *The Applicant let the Property to the Respondent by means of a Private Residential Tenancy Agreement.*
- 2) *The Applicant now wishes to sell the Property for financial reasons.*
- 3) *The Applicant has competently served a notice to leave under ground 1 on the Respondent;*
- 4) *The Applicant has complied with Section 11 of the Homelessness (etc) (Scotland) Act 2003;*
- 5) *The Respondent is content to leave the Property and wishes for an Eviction Order to be granted.*

Reasons for Decision

[5] Having made the above findings in fact, the Tribunal considered that ground 1 of Schedule 3 of the Act was established and that it was reasonable to make an Eviction Order.

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.

Andrew McLaughlin

Legal Member/Chair

13 February 2026

Date